



# **Legislature of Ontario Debates**

**Fourth Session of the Thirty-First Parliament**

**October 6-November 7, 1980**

















**No. 82**

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# **Legislature of Ontario Debates**

## **Official Report (Hansard)**

**Fourth Session, 31st Parliament**

**Monday, October 6, 1980**

**Speaker: Honourable John E. Stokes**

**Clerk: Roderick Lewis, QC**

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# LEGISLATURE OF ONTARIO

MONDAY, OCTOBER 6, 1980

The House met at 2:04 p.m.

Prayers.

## ALLEGATION BY MEMBER FOR HAMILTON EAST

**Hon. Miss Stephenson:** Mr. Speaker, it is with regret that on this first day of the session I must rise on a point of personal privilege.

In today's edition of the *Toronto Star* there is an article entitled "Minister of Good Intentions Faces Flak on Layoffs and Rights." In that article, the member for Hamilton East (Mr. Mackenzie) is quoted as saying about me, "She lied to you." I have never lied to the members of this House and I ask that member to withdraw that remark and to apologize.

**Mr. Mackenzie:** Mr. Speaker, there were a number of occasions when the answers we got from the minister were not accurate, so I do not see any need to withdraw the remark.

**Mr. Speaker:** I am sure it is regrettable any time any member of the House accuses another member of telling a falsehood. However, it was something that was said outside the House. The member is responsible for what he says out there and that is something over which we have no control here in the House. If he does not choose to withdraw the remark or apologize for it, there is nothing I can do. It was done outside the House.

## STATEMENTS BY THE MINISTRY

### WRIT FOR BY-ELECTION IN CARLETON

**Hon. Mr. Davis:** Mr. Speaker, I would just like to inform members that the Lieutenant Governor has just issued a writ—

Interjections.

**Hon. Mr. Davis:** —I thought the honourable member might feel it was for all of us, after what his leader has been saying and not saying—for the great, historic riding of Carleton for November 20.

Interjections.

**Hon. Mr. Davis:** Wait until we get a little closer. I have been known to—

**Mr. Speaker:** Does the Premier have a statement to make? I am sure the Premier has withstood provocation before. Does he have a ministerial statement?

**Hon. Mr. Davis:** I do indeed, Mr. Speaker. Just to add to that statement, to the member for Ottawa East (Mr. Roy), I might be prepared to make a modest wager, a little closer to the time.

## CONSTITUTIONAL REFORM

**Hon. Mr. Davis:** Mr. Speaker today—and I would like to welcome everybody back from what I am sure was a delightful summer recess—the government of Canada will place before our national Parliament a 20-page resolution to patriate our constitution, provide for an interim amending formula of unanimity, secure basic mobility rights for all Canadians, protect minority-language education rights where numbers warrant, entrench the principle of equalization and provide for the protection and enhancement of human, political and democratic rights for future generations.

The substance of the resolution responds very closely to the specific goals this government set out at the first ministers' meeting in September on behalf of the citizens of this province, and to the priorities outlined by us throughout the summer and fall—in fact, historically speaking, for probably from two to 10 years. Two years ago, when this province was the first to call for immediate patriation, it was, in our view, clearly time to make progress in the area of constitutional reform. We believed progress could be made within the context of an entrenched monarchy and the values and beliefs of the people of Ontario.

I think it is fair to state that the Prime Minister and I have differed for over a decade on substantial and far-reaching matters of economic and social policy, even on matters of foreign policy, which is beyond my jurisdiction but where I have never been reluctant to express a point of view, and on matters of energy policy. Quite aside from our various differences on matters of substantial importance to the people of this province, we have differed as a matter of



conviction in terms of our respective partisan affiliations, but the substantial challenges this nation must face will not be met if narrow partisanship is to determine where each and every one of us stands on the large and fundamental issues facing us all.

We did express the very strong objection, both at the constitutional conference and again last Wednesday, that the government of Canada was proposing to go too far when it wanted a revised section 133 to the constitution—which I know the parties opposite would have supported—which would have imposed *de facto* institutional bilingualism upon Ontario beyond the areas of minority-language education. I acknowledge this is one area where our point of view and the position we expressed was different from that proposed by the official opposition or the New Democratic Party.

2:10 p.m.

We felt the proposal was not acceptable to those of us on this side of the House. We therefore believe the decision of the government of Canada to move off its plan to revise section 133 and to back away from its plan of imposing institutional bilingualism upon this province to be an important concession and a wise one in the context of sustaining an effective national consensus for constitutional reform and patriation.

We think it equally important that the agreement reached by the Premiers of 10 provinces at a meeting on education rights in Montreal in 1978 find its way into a new constitution through the route of the protection of minority-language education rights where numbers warrant. Our Education Act in this province, as members are fully aware, already guarantees that particular situation. We called for, and therefore support, the government's decision to protect this right, just as we called for and support its decision to protect what it refers to as mobility rights.

I think it is fair to state—and I am interrupting the formal text—that we would have preferred that this be extended to goods and services. For those who suggest there was not some alteration in the federal government's position, I think it must be brought to people's attention that in fact they did move away from that, although they felt as keenly about it, I think, as we did.

It should be absolutely clear that no government of this province should have the right to enact legislation making it illegal for Newfoundlanders or any other Canadian to seek employment here, if that is their wish. It is important for the future of this country

and for the sense of real nationhood Canadians have every right to possess, for that protection to be in a new constitution.

We called for, and therefore support, the entrenchment of basic political and democratic rights in the constitution. We called for, and support, the entrenchment of human rights and some legal rights. In our view, these do not take away powers from the provinces, nor do they take away the powers of politicians and confer them upon judges, as some have suggested. What they truly do is take away powers from government overall and confer them upon the people in their own defence. In this way, individual citizens may use and protect their rights before the courts in the face of excessive and arbitrary use of power by any politician in any jurisdiction at any time.

It is true that we would have preferred a broader definition of Canada's common economic market, but we understand the desire of the government of Canada not to offend those provinces that still feel the protection of free movement of goods, services and capital would be too much at this time.

Ontario has always believed that moving now is essential. To do nothing at this point, just to sit back and say, "Let's have another meeting in January or February," when quite frankly I think the rhetoric and the positions would not change, would really be to admit a victory for those who say this nation is unworkable and that we cannot find vehicles for change. Controversy must not intimidate us today any more than it intimidated the Fathers of Confederation in 1867.

I am not prepared to admit that we, as Canadians, are incapable of drafting our own constitution, entrenching the monarchy, protecting human rights, protecting minority-language education rights where numbers warrant, enshrining equalization and protecting some very substantial legal rights.

I am not prepared to admit that resource revenues and their disposition should be allowed to hold up progress on the rights of English- and French-speaking Canadians to educate their children. I am not prepared to admit that control over the fisheries should stand in the way of protecting the right of individuals to fair and equal treatment before the law. Mr. Speaker, I speak for the government when I say we have no choice but to support the resolution put forward by the government of Canada for consideration by the House of Commons and the Senate. It respects what Ontario and her people sought from the outset. It also helps us honour our commitment to the people of Quebec made during the referendum.



During the parliamentary debate there must be give and take on all sides; I totally understand that. There are no villains in this undertaking. What Canadians expect is a reasoned debate with give and take on both sides.

When the Premiers meet, if we do, here in Toronto within the next 14 days I will urge a similar conciliatory and reasoned approach. There is every reason to expect that the government of Canada is open to suggestions that are reasonable and fair-minded with respect to any amendments emanating from the Premiers or elsewhere that are presented in good faith. If this province can be helpful in that process, we will be pleased to do so.

We know there are differences in this country. Whatever regional dissatisfactions there are must be worked out. In this province we remain prepared to approach that challenge in an open and fair-minded way. Those regional dissatisfactions must not be allowed, however, to constrain the capacity of our country, its people and its government to move ahead; nor must this constitutional matter continue to occupy too overwhelming a place on the agenda of our national Parliament and federal government.

Economic, fiscal and energy matters are far closer to the day-to-day concerns of millions of Canadians. In these areas, leadership from the government of Canada is vital and must not be diluted by any undue over-concentration on constitutional matters.

We have always believed that we, as a nation, must be able to make progress on more than one front at a time. Constitutional progress must not either be or appear to be at the expense of economic leadership and co-operation. The province we collectively serve deserves no less.

#### SUDBURY HYDROELECTRIC COMMISSION

**Hon. Mr. Welch:** Mr. Speaker, I should like to take this opportunity to inform the members that early in the fall session I will be introducing legislation to establish a new municipal hydroelectric commission for the city of Sudbury.

This bill is a first step towards the total restructuring of the municipal electric commissions in the regional municipality of Sudbury. In taking this interim step, the government is responding to the wishes of the people of Sudbury and to His Worship Mayor Gordon.

As a result of this bill, all of the customers now served by Ontario Hydro with-

in the area known as Broder-Dill or Ward Nine will be supplied by the new Sudbury hydroelectric commission by January 1, 1981. Prior to introducing the bill, it will be reviewed with the local authorities and MPPs and other interested groups.

With respect to the remainder of the Sudbury region, my ministry is reviewing a number of options to deal with the special circumstances of low density and low customer growth in this region, along with the regions of Haldimand-Norfolk and Muskoka. These options will also be discussed with the local representatives at a later date, with the objective of being ready to introduce legislation covering the whole region of Sudbury some time during the coming year.

#### VISITORS

**Mr. Speaker:** Before we get to oral questions, I would like to draw the attention of honourable members to the presence in the Speaker's gallery of two very important and distinguished guests in the persons of Mr. and Mrs. George Mussallem. Mr. Mussallem is the chief government whip for the province of British Columbia.

I had the pleasure of attending a Canadian Parliamentary Association conference a few years ago with him. He represented his jurisdiction very efficiently and capably at that time. I am happy to welcome him here on behalf of all members.

2:20 p.m.

#### ORAL QUESTIONS

##### LAYOFFS

**Mr. S. Smith:** Mr. Speaker, it is a pleasure to be back. I would like to direct my first question to the Premier. With more than 90 per cent of the layoffs in this country during the last several months occurring right here in Ontario and close to 300,000 Ontarians unemployed, notwithstanding that we may be having a debate on this matter a little later on, can the Premier tell this House precisely what policies his government will be proposing to protect workers, particularly with regard to layoff notification, severance pay, pension portability and the matter of justification of plant closures? What plans will his government be presenting to this House this session?

**Hon. Mr. Davis:** Mr. Speaker, I think there were really one or two questions, and perhaps a preamble that was not totally accurate, but I think it would be better to deal with that if there is, in the Speaker's wisdom, a debate later on this afternoon.



I think it is fair to state to the House that for the past several weeks the government has been considering, because of its concern with respect to plant layoffs or closings, some of the ideas suggested both from those who made representations to us and ideas emanating, of course, within the government itself. During the course of the discussions this afternoon, it is to be hoped that we will all attempt to put into some perspective the actual extent of the problem, the implications, and take into account that one of the best ways, to quote Mr. Fraser of the United Automobile Workers, to deal with this issue is to create new job opportunities, which I would say to the Leader of the Opposition this government has been doing and will continue to do in spite of some opposition, I might say, from some members opposite.

I think it is fair to state, as it relates to the pulp and paper industry as a very specific example, in spite of the Leader of the Opposition's objection to the policies of this government—incidentally, most heads of most northern municipalities have rejected his approach—that this government has taken significant steps to create job security with that very important segment of the economic life of this province. I won't go through the litany here this afternoon.

The Minister of Labour (Mr. Elgie) will be making a statement in the next few days related to a number of matters, some related to plant layoffs but some of those enunciated by the Leader of the Opposition. That will happen within the next few days. I will not give a specific date at this moment, but it will be very shortly.

**Mr. S. Smith:** Speaking more specifically of the farm implement industry, which has been hit with layoffs and where thousands of jobs are at present the subject of some public discussion, particularly in the Brantford area, would the Premier tell us what policy his government has decided to undertake in an effort to protect the jobs in Brantford in the farm implement business? Could he say what strategy he has recommended to the federal government in this regard?

**Hon. Mr. Davis:** I would be delighted to answer this in general terms but, if the Leader of the Opposition really is anxious to elicit the most up-to-date information, I think that would be an appropriate question to direct to the Minister of Industry and Tourism (Mr. Grossman).

**Mr. S. Smith:** I would ask that my question be redirected, Mr. Speaker.

**Hon. Mr. Grossman:** Mr. Speaker, we began a study of the machinery and equipment

industries about a year and a half ago; at that time, which I might say was before the intense current problems developed, this particular industry was first and foremost among the work we undertook. I now have before me the results of that work, which I have been sharing with my colleagues. The Treasurer (Mr. F. S. Miller) and I have been studying this paper and as recently as a week ago had some representatives of the industry in to talk with us about their varying problems and some solutions we might develop. As we reach some conclusions on that document we will be bringing them forward to the federal government, and to this assembly if some provincial action is deemed appropriate and helpful.

**Mr. Cassidy:** Mr. Speaker, a supplementary to the Premier: Is it now the position of the government to repudiate statements made by the Minister of Industry and Tourism earlier in the summer which suggested that any kind of legislation to protect workers affected by layoffs would be a means of driving investment out of the province? Does the Premier now recognize, and will government now accept, that Ontario has an obligation to workers who spend their lives in this province and should not be deterred from legislating because of the kind of spurious arguments the minister put forward?

**Hon. Mr. Davis:** I think one has to look at these things in a somewhat broader perspective. It is a very complex issue, one which the government has been assessing very carefully and quite thoroughly. If the leader of the New Democratic Party does not believe there are some problems inherent in it, I would be surprised. There are some. What the Minister of Industry and Tourism had said is that part of the approach in this province has been, and has to be, to maintain a competitive economic climate.

When it comes to legislation currently on the books, if one looks not at western Europe but at those areas where we are competing for investments, the United States, particularly the northern United States, and other provinces of Canada, I think it is fair to state that our existing legislation is not in any way behind that of competing jurisdictions. I think that is a reasonable statement of fact. It is a question here of approaching this in a balanced and reasonable fashion. When I met with the representatives of the UAW, I expressed personal concern as it related, for instance, to the pensions and pension benefits.

But as we approach this subject, I hope we will debate it here constructively—not just



as a matter of theology or ideology or what have you, but with an attempt to find reasonable solutions—and there will be an understanding that part of the balance must be that we retain the economic climate in this province that keeps us competitive. As I said to the Leader of the Opposition, and I hoped I really had answered the question, there will be a statement coming from the government within a few days.

**Mr. Nixon:** Mr. Speaker, I would like to direct a supplementary to the Minister of Industry and Tourism following his comments about the situation in the farm implement industry in Brantford.

Is the minister not aware that, while he is contemplating the document that has just been put at his disposal and may be given to the federal government, there are about 5,000 people on continuing layoff, with no certainty as to when they may return to work? Is he not familiar with the impact this has on these thousands of homes as well as on the community at large, and does he not believe that something more specific than just a consideration of a document is called for at this time?

**Hon. Mr. Grossman:** Of course, the main problem that both White and Massey-Ferguson are having relates immediately to the problem of markets, all brought to bear by interest rates being high earlier this year, at the same time as a drought and the grain embargo were upon us. All three things coming together at the same time put a great number of manufacturers in this particular sector in a very critical position.

What we did was to meet immediately—and I am talking about last spring—with the two companies involved to see what could be done in view of that world wide market downturn. It is a very critical one.

The encouraging thing on the White side is that the receiver is in and operating White, and it appears that the creditors have agreed with the receiver that there is a fair opportunity to call back those workers at some time. The decision has not been taken that White is irretrievable and will be shut down. We are fairly optimistic that White will make it and that the company will come out of receivership eventually.

We are working closely with the company, and to date White or its receivers have not indicated to this government or the federal government that financial or any other assistance is required, other than them being in a good competitive position when markets pick up.

On the Massey-Ferguson side, there is no question but that we have been spending a great deal of time, both federally and provincially, with Massey-Ferguson over the last three or four months to find if there is any conceivable way in which that company—that is, the work force—can be assured of a future.

I remain optimistic that restructuring of the company under some ownership—with some government assistance, if necessary—will occur and that we will see the jobs remain in that community in the longer term. How that occurs is obviously hard to predict at the present time except to say that this government is committed to doing anything that is physically and financially responsible to ensure those jobs in that community. Unquestionably that was made more difficult in terms of immediate resolution by the sudden action of Argus last week, without notice. None the less, we are undeterred in our willingness and desire to do whatever is necessary to create a sound and secure future for the workers in Brantford.

2:30 p.m.

**Mr. Peterson:** Supplementary, Mr. Speaker: Could the minister kindly give us his view of Argus's attempt to absolve itself from responsibility for the Massey-Ferguson situation? Specifically, what are his thoughts on that matter and what is he doing about it?

Has he instructed other ministries—for example, the Ministry of Consumer and Commercial Relations—to look into the whole giveaway to the pension fund and whether that is legal under the pension legislation in this province? Has he investigated whether Argus will profit from a tax advantage, from a tax loss, in this situation, leaving the results of that and the expense to be borne by some other group in society?

What are the minister's views of that situation and what is he doing to investigate it?

**Hon. Mr. Grossman:** My colleague the Minister of Consumer and Commercial Relations (Mr. Drea), through either or both the Pension Commission of Ontario and the Ontario Securities Commission, may choose to find evidence that would warrant some investigation of the activities of Argus.

The ministry's main and sole responsibility is to make sure that there is an industry in Brantford. What has happened, the activities that Argus has undertaken, what motivated it and the extent to which it profits or otherwise, is properly a concern of perhaps other governments and certainly other ministries.

As Minister of Industry and Tourism, I have one concern, and that is to make sure I do not let my own personal responses and reactions to what Argus did or the government's general response to that deter us from the main goal in question, which is not to save Argus, the bank or any corporate owners, but simply to do the responsible thing to ensure those jobs in Brantford.

We are not going to be deterred by any irritation—I was irritated at what happened—in terms of what we want to accomplish, which is to put together a package that will work for the workers.

### LIQUID INDUSTRIAL WASTE

**Mr. S. Smith:** Mr. Speaker, a question to the Minister of the Environment regarding the Upper Ottawa Street dump in Hamilton and dealing specifically with the article that appeared on the front page of the Sunday Star just yesterday. I assume the minister has had a chance to read this inasmuch as it details a former foreman at the Interflow company in Hamilton who admits to having sent drums of cyanide and drums of PCBs to the Upper Ottawa Street dump.

For some years now in the House the minister has continually told us that has not been happening, while I have been saying it has been happening. What is the minister's response to this particular article?

**Hon. Mr. Parrott:** I do not think the latter part of that is quite correct, Mr. Speaker, but let me respond to what we expect should follow from that particular article.

I have already contacted the chairman of the region; she assures us we will have the full co-operation of the region. I remind the members of the House that, of course, it is the region's site. I have also contacted the lawyers of my ministry and we will investigate these particular claims, I would think in co-operation with the lawyers from the region and the regional police force. We will conduct a pretty extensive review of that.

If charges are warranted, indeed they will be laid. It is quite possible this might even give us more evidence in the charges that are already before the court. I am not certain of that, of course, because at the moment they are only the statements of one individual, not yet finally reported. Those are the things we have already done in response to that article.

**Mr. S. Smith:** Since the minister and everyone else in the House will know that these are exactly the kinds of allegations I have been

making here for some years, and since the minister has decided instead to stand behind the views of the person who was the regional director at the time, I would like to quote what the regional director said then about Interflow: "They are carrying out a pretty straightforward operation. All of their operations are on the up-and-up as far as I can determine." That man, for his great perspicacity, has now been put in charge of the entire waste management division of that ministry. How can the minister possibly continue going around the province complaining when local people do not trust his ministry?

**Hon. Mr. Parrott:** It is rather interesting. Perhaps the Leader of the Opposition will seriously consider coming forward with some of that evidence for which he has been asked repeatedly. He refuses to do so. At least we have one person who has the courage and the ability to come forward with statements that he is prepared to back up. That is more than I can say for the Leader of the Opposition.

**Mr. Isaacs:** Supplementary, Mr. Speaker: How can the minister continue to rely on the region to handle these matters when the minister's own hydrogeologist is quoted as saying that there are PCBs in the Redhill Creek and when the region's specialists say there are not? Whom do we believe? What is going on with regional reports that are apparently ignoring the facts that the minister knows about?

**Hon. Mr. Parrott:** I am sorry, but there is again some misunderstanding on that particular situation. As I understand it, and I think I am correct, the ministry has monitored, will monitor and is monitoring the Redhill Creek. We have done that on a very extensive basis. I am led to believe that there are low levels of PCBs in the sediment above and below the site. The member may want to make very clear some time when he is addressing this particular problem that those are above and below the site and in the sediment, not in the water. Those are the pertinent pieces of information. The ministry, as I said, will continue to monitor above and below and around that site.

We asked for and have received co-operation and the assurance of co-operation from the regional chairman to work in concert with our own staff. I think that is the way it should be. They have a great deal of expertise in the region, we have a great deal of expertise in the ministry, and we should combine forces; that is precisely what we are doing.

**Mr. Speaker:** The member for Halton-Burlington.



**Mr. J. Reed:** I will defer to my leader.

**Hon. Mr. Davis:** You don't do that in the commercials.

**Mr. S. Smith:** He doesn't claim to be an engineer, either. There are inspection reports of the Upper Ottawa Street site which presumably will show that the ministry either should have known what was going on, or did know what was going on, or was totally in the dark as to what was going on. Given that those inspection reports exist, given that I have now asked for them on at least a dozen occasions over the last two years and given the alleged freedom of information line of the government, will the minister now make public the site inspection reports on the Upper Ottawa Street dump which I have been requesting for two years and which apparently have been regarded by him as top secret?

**Hon. Mr. Parrott:** Again, the Leader of the Opposition makes a statement that is not correct, but I have come to understand that.

We will make those reports available, as I have said a dozen and one times, at the appropriate time in the courts. They are part of the evidence and they will be made available to them. We have said that a dozen times.

#### ASSISTANCE TO PULP AND PAPER INDUSTRY

**Mr. Speaker:** The member for Ottawa Centre.

Applause.

**Mr. Cassidy:** That is obviously a sigh of relief from the Liberal Party because we have taken them off the hook.

Interjections.

**Mr. Speaker:** Order. I can't hear the question.

**Mr. Cassidy:** Mr. Speaker, since the Premier mentioned the pulp and paper industry, I have a copy of a major study for the Royal Commission on the Northern Environment which shows that the government gave Employment Development Fund grants to the pulp and paper industry when the industry clearly did not need them.

Can the Premier explain why the government unnecessarily spent \$95 million and in the process lost 600 jobs when the industry was quite capable of paying for the modernization itself? It is in the document.

**Hon. Mr. Davis:** Mr. Speaker, I do not think that is quite an accurate statement of fact. If the member would like to send me the document, I will peruse it; I will be delighted to peruse it. I am also delighted to

see that both opposition parties, in their own democratic way, have enthusiastically endorsed the leadership of their two leaders in the usual traditional fashion by applauding on their desks because they did not want to put it to any other kind of test. I was delighted to see that.

Interjections.

2:40 p.m.

**Mr. Speaker:** Order.

**Mr. Cassidy:** Let's not talk about the schisms within this Conservative Party.

Is the Premier not aware that the task force of the Royal Commission on the Northern Environment is recommending that the pulp and paper companies publicly justify their Employment Development Fund grants, and in the light of the failure of that program to create jobs, will the Premier instruct the Employment Development Fund to table publicly its plans for replacing the 18,000 manufacturing jobs that we have lost in Ontario over the course of the 12 months up until August this year, so that the members of this House can review those plans and so that we can have the assurance that there is not another ripoff of the taxpayers in the way that we spent money unnecessarily in the pulp and paper industry?

**Hon. Mr. Davis:** If the honourable member wants to travel through northern Ontario and oppose the program of assistance to the pulp and paper industry, then let him be my guest. I just have to tell him that I have also travelled in northern Ontario and it is a program they understand, they support and they appreciate, and they cannot understand why the opposition politicians in Queen's Park do not understand northern Ontario.

**Hon. Mr. Welch:** Supported by the member for Welland-Thorold (Mr. Swart), too.

**Hon. Mr. Davis:** Yes, the member for Welland-Thorold; I think I saw a quotation saying just how enlightened a government we were in assisting Ontario Paper Company Limited. I tell you, Mr. Speaker, the response was enthusiastic; he was there when the announcement was made, applauding vigorously. The members opposite come here, have it one way; they go home, they have it another way, and when they are between they have it both ways.

Interjections.

**Mr. Cassidy:** This task force confirms what New Democrats have said for a long time, which is that the wood supplies in northern Ontario are not only inadequate for additional growth but also are inadequate for the existing size and capacity of the pulp and



paper industry. Does the Premier not agree that it would have made more sense to have taken some of that \$95 million and put it into an accelerated regeneration and reforestation program to ensure that the economic base in the forests of northern Ontario would be there to create jobs and job security in the future?

**Hon. Mr. Davis:** As we have said on many occasions in this House, we are doing the latter as well.

Interjections.

#### BRAMPTON PICKET LINE INCIDENT

**Mr. Cassidy:** Mr. Speaker, I have a question for the Solicitor General. This morning, four women picketers at the Maple Lodge Farms Limited plant in Brampton were sent to hospital as a result of an incident in which police were also involved. Can the Solicitor General explain the actions of the police in that particular case, and will he undertake to investigate exactly what happened, to see whether there was deliberate provocation to aid the company in its bid for an injunction before the courts tomorrow, an injunction that would effectively make it impossible to have any picketing at the plant at all?

**Hon. Mr. McMurtry:** Mr. Speaker, I am not aware of the incident, but I will look into it and report back to the Legislature.

**Mr. Cassidy:** Can the minister explain why it was that, according to the police's own count, at least 20 uniformed officers and somewhere around 10 plainclothes policemen dressed in rough clothing, who had to be asked to identify themselves before they put on their armbands, were required when there was a picket line of only 75 picketers, most of whom were Portuguese women? Given the fact that these workers have been struggling for 21 months to try to get themselves a first contract, would the minister not say that the company was trying to use the police to intimidate these new-Canadian strikers?

**Hon. Mr. McMurtry:** I will repeat what I said: I have no knowledge of the matter that has been brought to my attention. I am sure the leader of the New Democratic Party would not ask any senior law officer to make a personal judgement on a matter about which he knows nothing.

I will look into the matter and advise the leader of the New Democratic Party and the members of the Legislature accordingly. If

I have any information by tomorrow, I will so advise.

Interjections.

**Mr. Speaker:** There is no point in pursuing this further. It has been taken as notice and when he comes in with an answer members will have an opportunity for supplementaries.

#### ONTARIO HIGHWAY TRANSPORT BOARD

**Mr. Cunningham:** Mr. Speaker, I have a question for the Minister of Transportation and Communications relating to the United Parcel Services case. He will recall, I am sure, that an application was made to the Ontario Highway Transport Board on behalf of United Parcel Services. The original decision was thrown out after violations of sections 18(a) and 18(b) of the Highway Transport Board Act and a new hearing was ordered. This ended on April 18, 1980. Can the minister tell us when we can expect a decision on this case?

**Hon. Mr. Snow:** Mr. Speaker, I cannot give the honourable member an actual date as to when that decision will come down. I know the hearings were completed some time ago.

It was my understanding that, as part of the second set of hearings, it was agreed upon between the parties on both sides and their legal counsel that the total transcript of the very long hearing which took place previously was to be read and studied by the hearing officers before they made their final decision. It has been a lengthy process for them to go through several thousand pages of transcript. As far as I know, the decision is not too far away, but I do not have an actual date.

**Mr. Cunningham:** In view of the fact that this case started some three years ago and the second case was concluded some five months ago, how can the minister justify the delay in the light of his directive to the chairman of the board, dated October 12, 1978, "to dispose of this expeditiously and economically"? What does the minister have to say about that?

**Hon. Mr. Snow:** I do not have any more to say than what I have already said. The case was delayed for a considerable time because of certain actions which were before the court as to whether the case could be reheard by the board. After the case proceeded—and it was not a short case in itself—the three members of the board who heard it all had to review, as a body and individu-

ally, the transcript of the previous hearings. That has been a lengthy procedure which has been going on during the summer.

**Mr. Cunningham:** Does the minister know how much all this will cost the Ontario taxpayers?

**Hon. Mr. Snow:** No, I do not at this moment. It is obvious that any hearing of this type costs the taxpayer money. That is part of the system of the board in hearing applications such as this.

## LIQUID INDUSTRIAL WASTE

**Mr. Isaacs:** Mr. Speaker, I have another question on the Upper Ottawa Street dump for the Minister of the Environment. Is the minister aware that ministry officials have reported PCBs in the water—not the sludge, but the water—of the Redhill Creek in the area of the dump? Given that there is increasing evidence that substances like acetone, hexane, xylene, cyanide and other caustics, plus other extremely hazardous substances, may have gone into the Upper Ottawa Street dump, will the minister immediately order a health study of all who live and work in neighbourhoods immediately adjacent to that dump so we can find out for sure whether there are health problems in those areas caused by the dump?

**Hon. Mr. Parrott:** Mr. Speaker, I think that question should be more appropriately addressed to the Minister of Health.

**Hon. Mr. Timbrell:** Mr. Speaker, in response let me say that the medical officer of health of the region of Hamilton-Wentworth has been involved in the review, which has been under way for some time. In particular, he has been involved in a review of the hydrogeological study to which the honourable member made reference earlier in today's question period and which was carried out on behalf of the region. As well, when the survey was conducted by some of the local citizens, he reviewed that along with the subcommittee of the Academy of Medicine of Hamilton-Wentworth which deals with environmental health.

2:50 p.m.

Based on a review of both studies, his advice to us has been that his professional opinion and the professional opinion of the physicians on the Academy of Medicine subcommittee is to the effect that an epidemiological study is not warranted. Notwithstanding that, recognizing the intense public concern and interest in this matter, I have directed my officials to indicate to the medical officer of health, Dr. Cunningham, that

we in the ministry are prepared, based on their decision in the health unit, to fund a full-scale epidemiological study.

**Mr. Isaacs:** Could the minister outline whether he would be prepared to do that if there were medical evidence other than from the medical officer of health? We need that study now, and to wait for a person who has been negative in the past to come around to our way of thinking may just be an undue delay.

**Hon. Mr. Timbrell:** Just because he has not agreed with the honourable member in the past does not mean he is wrong. What he has said is that in his professional opinion, and he is after all trained in epidemiology and in public health, and in the opinion of the physicians in the academy whom he consulted, it is not warranted. What I am saying to the honourable member is, notwithstanding that, what I have indicated to him through my officials is that we think we should go the extra mile to be absolutely certain and conduct a full-scale epidemiological study, and we are prepared to fund that.

## NONRESIDENT AGRICULTURAL LAND OWNERSHIP

**Mr. Riddell:** Mr. Speaker, I have a question for the Minister of Agriculture and Food. Since it has been drawn to the minister's attention in very strong terms that farmers in Ontario are becoming increasingly concerned about foreign investment in farm land, what measures are he and the Premier now contemplating to restrict this practice?

**Hon. Mr. Henderson:** Mr. Speaker, in response to the honourable member, I got a very apologetic letter in the mail today from an individual from Huron county. It pointed out that he was the sponsor of this resolution that I am supposed to have had, and again I say I have not received the resolution as yet.

Let me assure you, Mr. Speaker, that this government brought legislation before this House. There was no opposition any place in this House. In fact, it got the full support of this House. That legislation has the same effect as retroactive legislation, and the sponsors of the resolution the honourable member is referring to were not knowledgeable of the act that was approved by all members of this House, or the resolution would not have happened.

**Mr. Riddell:** The legislation the minister is referring to is the registration bill where all foreign owners will have to disclose the purchases of farm land. Why has that registration bill not been proclaimed, when it was



given royal assent in June? In other words, is the minister really serious? Does he not agree that much of our good farm land can fall out of Canadian ownership while he is busy trying to monitor the situation?

**Hon. Mr. Henderson:** I made it quite clear that it would be a year and a half to two years before we would know what the extent of foreign ownership is in this province. Again I point out to the honourable members of this House that the bill in itself is retroactive legislation. It gives the individuals who now own land and reside outside Canada up to one year to register that. So whether it had been proclaimed June 1 before the legislation was passed or October 1 matters very little.

Mr. Speaker, for your information and for the information of the House, we have plans to proclaim the bill to be effective December 1.

#### AID TO PENSIONERS

**Ms. Bryden:** Mr. Speaker, I have a question for the Minister of Revenue. It has now come to light that nursing home residents will get much less in grants under the new senior citizens' tax grants scheme than they got under the previous tax credit system. Will the Minister of Revenue reconsider his misguided policy, which cuts off all nursing home residents who receive any subsidy, however small, from the seniors' property tax grant, even though they pay substantial sums out of their own pockets? Will he also bring in an amendment to the legislation to ensure that they are not worse off than they were under the previous tax credit program?

**Hon. Mr. Maeck:** Mr. Speaker, I think the honourable member is not taking into consideration the fact that this was a package program for senior citizens. At the time this program was designed, the fact that there would be a \$35 increase from the federal government in the guaranteed income supplement was taken into account. Included in our program was an additional \$10 per month increase in the Guaranteed Annual Income System. When you total those two, we are really talking about an increase of \$45 a month to those seniors in nursing homes and senior citizens' homes who are eligible, which comes to something like \$540 a year, which is considerably more than they were getting under the Ontario tax credit program.

**Ms. Bryden:** The Minister of Revenue is hiding behind the federal grant of \$35 to justify taking away a benefit that seniors in

nursing homes and in old folks' homes were receiving last year. He is taking away something they had.

**Hon. Mr. Maeck:** People in senior citizens' homes and nursing homes do not pay property taxes. The new program is designed to compensate people who pay property taxes or rent. That is the reason we increased the GAINS, to compensate for the pension tax credit. We did take into consideration that there would be an increase in the guaranteed income supplement as well. People in senior citizens' homes or nursing homes do not pay property tax or rent.

**Mr. S. Smith:** Mr. Speaker, by way of supplementary: Given that the Minister of Community and Social Services (Mr. Norton) got into a big argument with the Minister of National Health and Welfare, suggesting that in no way would federal money be calculated in in such a way as to reduce the province's responsibility to these people, why is the Minister of Revenue now referring to federal money as though it had something to do with this question?

Why does the minister simply not do the right thing—which would help him politically, as well as any other way—and, instead of just giving the money to the millionaires who do not need it, say that nobody will get less under the new plan than they would have got under the old plan?

**Hon. Mr. Maeck:** This whole question arose in debates in the Legislature during the presentation of the legislation. The answers have all been given by the Treasurer.

We do not feel that people in nursing homes or senior citizens' homes are being penalized in any way, shape or form. They have more money at their disposal now than they had before.

#### FRANCOPHONE ENUMERATION

**Mr. Roy:** Mr. Speaker, a question of the Minister of Education: Why would the minister and her colleague the Minister of Revenue use a different standard for the enumeration of French-speaking citizens in this province than for other citizens by using the method of the business reply card? French-speaking citizens who want to participate in the French-language advisory committees have to send in cards, something other citizens in this province do not have to do to be enumerated.

Secondly, is the minister aware that in many cases the enumerators are not even leaving the cards? If it is her intention to enumerate French-speaking citizens in this



province, why does she not do it right? Why does she not do it the way she enumerates everybody else?

**Hon. Miss Stephenson:** Mr. Speaker, the request that was made of the government of Ontario was to provide assistance to the French-language advisory committees in determining the electorate that might be available to elect members to French-language advisory committees, which are committees of a board of school trustees and not, in fact, school trustees.

We examined this carefully, attempted to find a way in which we could accommodate that request as rapidly as possible and developed the method that has been outlined by the member for Ottawa East: each enumerator on arriving at each door would ask whether there were French-speaking residents within that household and, if there were any, would leave a specific card for a response to be sent to the Ministry of Education for distribution to the board.

3 p.m.

This is a way of attempting to provide additional information to French-language advisory committee members and to those who might wish to stand for election as French-language advisory committee members. We anticipate it will give us a fairly reasonable degree of assistance to those individuals, outside of total enumeration. It is being done within 39 areas in the province—all of the areas in which there are French-language advisory committees. Since there are not French-language advisory committees in all areas of the province, it would appear to be less than totally rational to ask the question right across the province.

**Mr. Roy:** While proceeding to do something and enumerate them, what the minister wants to do is identify them so they can participate in this process which was established by the Legislature of Ontario.

I ask the minister why she does not do it properly? For instance, why would she leave with the enumerators the decision of whether a card should be left? This is a value judgement for enumerators and very often the card is not left. I have evidence that the card is not left by the enumerator.

Second, why would the minister impose a burden on a French-speaking citizen to send in a card rather than ask directly: "Are you French-speaking? Are you in support of the French-language advisory committee?" Why does the minister not just ask the question without leaving the card?

**Hon. Miss Stephenson:** I doubt very much that having to complete a card is an addi-

tional burden in the democratic process. However, I would like to ask the honourable member if he does have instances in which the card is not being left when the answer to the question has been there are French-speaking individuals residing in that house. I think my colleague the Minister of Revenue should be aware of this, because I am told and I believe that all enumerators were asked specifically to ask that question at every house at which they knocked.

**Mr. R. F. Johnston:** A supplementary, Mr. Speaker: The minister is aware that she was asked to have two specific questions asked, and they were not asked. Inasmuch as I warned her about what had happened in the Scarborough experience, where they sent something around door-to-door and the returns were very low, can she tell us the state of the returns at this time? In a place like Metropolitan Toronto, where we have a fairly good idea of how many French electors there should be, how many has she actually got back?

**Hon. Miss Stephenson:** Mr. Speaker, I cannot give the member that figure, but I can find out and report to the House.

#### AUTO PACT

**Mr. Cooke:** Mr. Speaker, I have a question for the Minister of Industry and Tourism; perhaps we should rename him the Minister of Deindustrialization.

I would like to ask the minister if he is aware that, as of the end of July, the auto pact deficit was \$250 million higher than it was at the same time last year? In a speech at the beginning of May, the minister stated that he supports the concept of 100 per cent Canadian value-added, which would eliminate the deficit. What steps has the minister taken between May 1 and now to have that accomplished, or is he all talk and no action?

**Hon. Mr. Grossman:** Of course, Mr. Speaker, until I take leave of my senses and run federally, or until the Conservative government once again returns to office in Ottawa, I will not have—

Interjections.

**Hon. Mr. Grossman:** Just some levity, guys—just some levity.

We all know that, in terms of the provisions of the auto pact, all we can do is make strong, well-reasoned and well-researched presentations to the federal government. I am encouraged that my friend the Honourable Herb Gray has instituted discussions in Washington. I am not encouraged with the process of those discussions, but

since that time we have communicated again with Ottawa and with Washington to let them know our views at every point possible.

In terms of the specific things that a provincial government can do to look after that imbalance, what we can do is make sure we continue to get growth in auto parts production. It is interesting to take note that in the midst of the problems the auto industry is now facing, in the midst of all the gloom and doom about the auto industry, and it is going through difficult times, we have had announced or begun, in this year alone, 72 new plants or plant expansions in the auto parts industry in this province, for an investment of \$2.3 billion and some 10,000 new jobs. I think that is a very remarkable record and I would challenge the member opposite to compare that to the record of any other jurisdiction during this period of time.

**Mr. Cooke:** Unfortunately, I do not have the statistics at my fingertips on how many plants have been closed and how many workers have been thrown out of work. The minister gives us the positive statistics, but we know the unemployment rate in the auto industry is 25 per cent.

Since 95 per cent of the auto workers reside and work in this province, and since the president of General Motors stated recently in a *Globe and Mail* article that he feels his company is doing a lot to meet the terms of the auto pact but that Ford and Chrysler are not doing nearly enough, and since the minister said recently in a speech in Windsor that all of us in Ontario know what his government's position is on the auto pact, would the minister table with the Legislature a position paper on how he feels the auto pact is functioning and what concrete suggestions he has for the federal government to do to make sure the auto pact does start working in favour of auto workers here in Ontario?

**Hon. Mr. Grossman:** I must simply say that we do not have any studies, documents or positions on the auto pact in this government which we keep secret. If I tell them to Herb Gray, I say it in this assembly. I have said it in the speeches I have given and it is all out there, open on the record.

**Mr. B. Newman:** Supplementary, Mr. Speaker: Has the minister conducted an inventory of the various parts manufactured in the United States that could possibly be manufactured in Canada, and alerted the manufacturers so that they could bid on these, in the hope that possibly those parts, rather than being made either in the United

States or offshore, could be manufactured here in Ontario?

**Hon. Mr. Grossman:** That work in fact is under way. I must say that to pretend the government will be more successful in getting its hands on that information and delivering it to the private sector than the companies would be if they really got on board that project would be to mislead the House.

Happily, and this is the extent to which my friend quoted GM, and I think with accuracy, GM is really onside in that project. They are really actively displaying, showing and trying to ascertain those parts that can be made in Canada and getting it out to auto parts. I must say quite openly that Ford and Chrysler have not been as aggressive in that area, and we are working with them to get them more onside in that exercise.

#### NIAGARA REGIONAL HEALTH UNIT LABOUR DISPUTE

**Mr. Bradley:** Mr. Speaker, I have a question for the Minister of Health concerning the Niagara regional health unit. Is the minister satisfied that at the present time the people of the Niagara region are receiving the best possible protection in terms of inspection and other services in the light of the fact they have been without the services of these expert and professional personnel for so many months?

**Hon. Mr. Timbrell:** Obviously, Mr. Speaker, the "best possible" would be if the labour dispute could be resolved and everybody got back to work. The services being provided are being closely monitored by the ministry. There is a new medical officer of health in the region as of last Wednesday: Dr. Mills, formerly the MOH in Sudbury. I am advised by my staff, who keep me regularly posted on this, that the supervisory staff have been able to look after the essential things.

As the member knows, we have also consistently indicated that ministry staff would be available on call to come in if they were needed. To date the unit has not found it necessary to call that offer in, as it were. Obviously, the best situation would be to get it resolved. As the honourable member knows, it has been put to a vote—what is it?—three times and rejected. The Ministry of Labour mediators are involved in trying to bring the parties together, and I can only hope that will happen soon.

3:10 p.m.

**Mr. Bradley:** In view of the fact, as the minister has pointed out, they have been



close to an agreement on at least a couple of occasions, would he not believe that yet another effort and perhaps a personal effort on the part of the Minister of Labour would bring about the kind of settlement that would be satisfactory to the many workers who are now on strike from the Niagara regional health unit and obviously want to get back to work and that would ensure the public would be adequately protected?

It is difficult to believe the supervisory staff of the health unit could do the same job that the entire inspecting staff has been doing over this past period of time.

**Hon. Mr. Timbrell:** I am sorry if I left the impression that the supervisory staff is doing everything that was done before. I did not mean to leave that impression. If that were the case, we could do with a much smaller unit.

I said the advice I have had from my officials, who are monitoring it very closely, is that all of the essential services are being carried out, undoubtedly straining the supervisory staff to their limits.

As regards the earlier part of the honourable member's supplementary question, I would suggest he refer that matter to my colleague the Minister of Labour when he arrives today or tomorrow.

**Mr. Swart:** Supplementary, Mr. Speaker: In view of the condemnation of the health unit board by the former director, the medical officer of health, and his implication that the board had not really dealt properly with the union on these issues, has the minister himself made any direct contact with the board, asking them to take the steps necessary for settlement?

**Hon. Mr. Timbrell:** I have had correspondence with both the union and the management over six months now, off and on. Of course, we have been urging both sides to do everything possible to arrive at an early settlement. If there are some problems with the board, then I submit that the power of rectification and the responsibility for it rests at the local level, where the board is appointed. I can be corrected on this, but I believe there are only two members of the board who are appointed by order of the Lieutenant Governor in Council. The rest are all appointed locally.

**Mr. Kerrio:** A final supplementary, Mr. Speaker: Has the minister made a major change in policy where he no longer has a medical doctor directing the unit down there? Is he now going more or less towards a management type of individual? Has that caused some problem down there?

**Hon. Mr. Timbrell:** I do not think that is a supplementary, but we are working and have been working for some time on a complete overhaul of the Public Health Act; it will be the first total revision of it in more than 100 years. I anticipate releasing a white paper on that matter this fall, the idea being to encourage discussion that will lead to introduction of the bill in the spring session and passage at that time.

One of the issues we have not resolved yet, but about which we have been in discussion with the Society of Medical Officers of Health, the Association of Boards of Health, the Ontario Medical Association and the Ontario Public Health Association, is the question of whether in future the medical officer of health should continue to be the chief executive officer of a public health unit. There are arguments pro and con on that, and frankly I have not made up my mind as to what I will tell the staff to put in the white paper.

#### TVONTARIO MULTICULTURAL PROGRAMS

**Mr. Di Santo:** Mr. Speaker, I have a question of the Minister of Culture and Recreation. Does the minister remember his commitment when I asked him a question about TVOntario and multicultural programs? He told the House it was his intent to further the multicultural programs on TVOntario. If he does remember, can he explain how it is that in the new brochure distributed today, a big, glossy and beautiful brochure, there is only one item that talks about multiculturalism?

**Hon. Mr. Baetz:** Mr. Speaker, in the first instance I should say that TVOntario is of course a crown corporation. It does not take detailed instructions, nor should it, from the Ministry of Culture and Recreation as to what it should or should not be showing.

I can also assure the member for Downsview that it is going to have far more multicultural programs than is indicated in that brochure to which he refers. I can give him more detailed information on this.

I just attended one of TVOntario's regional meetings last Thursday night in Ottawa, and I can assure the member it is very much aware it has a role to play in the development of multicultural programs, without the minister standing at its shoulder telling it what to show and what not to show. It is very much aware of the need for multicultural programs in the province.

**Mr. Di Santo:** I would like to ask the minister if at some time he can share with



this House and the province the concerns of TVOntario and its awareness of the multicultural problems in this society. Can the minister tell us, if there are multicultural programs being developed, when we will know what the programs are? Can the minister also tell us, since he made a commitment last year in this House that he was going to develop multicultural programs through TVOntario and through grants, how is it in three years he gave only three grants for multicultural purposes and there is only one program this year? If there are more programs, can the minister table the names of programs TVOntario will produce this year?

**Hon. Mr. Baetz:** As I indicated, much more multicultural content in TVOntario programs is scheduled for this year than would be indicated and illustrated in that brochure the member for Downsview has just referred to us. I will be quite prepared to send him a long and detailed list of what TVOntario is committed to. It is producing programs that forward the concept of multiculturalism in this province.

**Mr. Ruston:** Supplementary, Mr. Speaker: If the Minister of Culture and Recreation is expanding that part of TVOntario, when will TVOntario be made available to another million people who do not have that facility available to them at this time, the people in southwestern Ontario and eastern Ontario?

**Hon. Mr. Baetz:** Perhaps the honourable member does not realize that at this time more than 85 per cent of the population of Ontario does receive TVOntario programs. In addition to that, I would like to assure him we are very actively considering the expansion of TVOntario. We are aware that there are some pockets where the TVOntario signal does not now reach the people, but I think I will be able to announce some very happy news for some of the people of Ontario in the very near future.

#### HOSPITAL FUNDING

**Mr. Conway:** Mr. Speaker, my question is to the Minister of Health. In view of the fact that not many months ago the Ministry of Health was advertising at considerable public expense Happy Hospital Day, and in recent months the government of Ontario has been enjoining the people of this province to recognize that Life Is Good, Ontario and further advising them to Preserve It and Conserve It, I am most anxious to know what conversations the Minister of Health has had with the executive of the Ontario Hospital Association which in recent days has been complaining openly and bitterly about the

chronic underfunding that is afflicting its particular sector?

What is the Minister of Health going to do with those 130 public hospitals which, as of September 24, were complaining about being in a current deficit situation, a collective deficit projected for this year of \$61 million, and a deficit which the leadership of the Ontario Hospital Association is saying will have a serious, deleterious effect upon the hospital section?

3:20 p.m.

**Mr. Speaker:** I will give the minister equal time to respond to what he has heard to this point.

**Hon. Mr. Timbrell:** Mr. Speaker, I am delighted to. Let me say, first of all, that to describe the statements of the leadership of the OHA as bitter is inaccurate, totally inaccurate. It will take me a minute or two to give the background.

At this time last year we were working on the budgets for 1980-81. Using the best possible indicators available at the time of salaries and wages in 1980-81—and they account for 75 to 80 per cent of all hospital budgets—and the best indicators of increases in costs for services and supplies, we announced on January 22, 1980, the budgets for 1980-81 for all the public hospitals. At that time, we asked for the budgets from the hospitals by March 31, 1980. We just received the last of those budgets—but there may be one or two outstanding—in September.

I meet on a monthly basis and on an as-necessary basis with the Ontario Hospital Association to discuss current concerns.

**Mr. Cassidy:** That is totally misleading.

**Hon. Mr. Timbrell:** Mr. Speaker, I think I will take my seat and challenge the honourable member to withdraw that aside.

**Mr. Cassidy:** I would suggest, Mr. Speaker, that it took until September for the hospitals to have their budgets since the hospitals have difficulty putting budgets in because of the financial playing of games that goes on in this government. That's the problem with this—

**Mr. Speaker:** Order. I didn't hear the comment.

**Hon. Mr. Timbrell:** Mr. Speaker, he said it was totally misleading, and I demand an apology. I demand it be withdrawn.

**Mr. Cassidy:** Mr. Speaker, the minister was certainly misrepresenting things to the House. I withdraw the comment I made.

**Mr. Speaker:** I have a notion that the minister wasn't misleading.

**Mr. Cassidy:** With great difficulty, I withdraw the comment, Mr. Speaker.

**Mr. Speaker:** The time for oral questions—and answers—has expired.

#### COMMENT BY MEMBER FOR OTTAWA CENTRE

**Mr. Roy:** Mr. Speaker, I have a matter of privilege. I think it's privilege—

**Mr. Speaker:** You can give it a try.

**Mr. Roy:** The leader of the NDP last week made a statement in this building in which he was quoted extensively in the only English paper left in Ottawa, the Ottawa Citizen. At the time he was quoted, and I cite here from the Ottawa Citizen, the member for Ottawa Centre told reporters that since minority government began in 1975 the Liberals have moved 11 no-confidence motions and the NDP only three. "We see no need to make an apology for our record as an opposition party," he said. I am told, Mr. Speaker, that's not what the member said.

**Mr. Speaker:** Are you protecting your own privilege or his?

**Mr. Roy:** No, no, my privilege and the privilege of my constituents who have been misled.

**Mr. Speaker:** How?

**Mr. Roy:** This is a misleading statement.

**Mr. Speaker:** That's not a point of privilege. It does not abrogate your privileges as a member of this House.

**Mr. Roy:** Yes, it does. My constituents think we presented 11 motions. It's the other way around.

#### HOSPITAL FUNDING

**Hon. Mr. Timbrell:** Mr. Speaker, on a point of order: Would it not be proper for me to be able to complete my answer to the effect that, based on the analyses of budgets carried on from May, when the bulk of them started to arrive, to August, starting in early September our area teams of the ministry started to meet with individual hospitals to identify uncontrollable problems that had developed and to rectify them in their budgets.

#### PETITION

##### HOSPITAL FUNDING

**Mr. Conway:** Pursuant to standing order 33(b), we, the undersigned members of the Legislative Assembly, do hereby petition that the annual report of the Ontario Ministry of

Health for 1978-79, tabled on October 16, 1979, be referred to the standing committee on social development in order that an examination of the financing of public hospitals in Ontario might be undertaken immediately.

#### LIQUID INDUSTRIAL WASTE

**Mr. Isaacs:** Mr. Speaker, on a point of privilege: Earlier this afternoon, the Minister of the Environment informed the House that PCBs had been found in the sludge of the Redhill Creek but not in the water. An official of his ministry is quoted as saying that PCBs have been found in five samples of the water of Redhill Creek taken by the Ministry of the Environment. I wonder Mr. Speaker, whether you would ask the Minister of the Environment to gather the correct information and table it so that the record of this House may be corrected.

**Mr. Speaker:** You will have an opportunity at question period tomorrow to make that request of the minister.

#### REPORTS

##### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Gaunt from the standing committee on social development presented the following report and moved its adoption:

Your committee begs to report the following bill with certain amendments:

Bill 82, An Act to amend the Education Act, 1974.

Report adopted.

**Mr. Speaker:** Shall the bill be ordered for third reading?

Ordered for committee of the whole House.

##### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Mr. MacBeth from the select committee on constitutional reform presented the following report and moved its adoption:

Your select committee on constitutional reform is at present engaged in completing its deliberations with respect to a report, as required by order of reference dated June 3, 1980, and recommends that the time for such report be extended to Friday, October 17, 1980.

Your select committee further recommends that it be authorized to sit on Wednesday, October 8, and Wednesday, October 15, 1980.

**Mr. Speaker:** I will hear the member for Humber, but I must remind the honourable member that a routine motion like that is



usually best handled by a simple motion by the government House leader. If you are asking for us to approve what is contained in a committee report, the normal procedure is for the chairman to move the adjournment of the debate and for it to be reordered for debate on a later occasion.

You do cause the chair some difficulty. However, I will hear what you have to say, and if we have the unanimous consent of the House to put the adoption of that report at this time, I will do so, but you know that we ran into considerable difficulty on a previous occasion. I just want to admonish the members that you could be establishing a precedent that is not in keeping with our present standing orders.

**Mr. MacBeth:** Thank you very much, Mr. Speaker. The last thing I want to do is cause you any embarrassment or cause any precedent to be created here which might cause confusion in the future. I will be happy to abide by your guidance.

All we are asking at this time is for two future dates to sit and to apologize for the fact that we did not complete our deliberations by October 1 as ordered by the House. We have two little matters to look at, namely, language rights and natural resources. We hope to complete those on October 8.

All we are asking for now is an extension of time to file our report for October 17 and to be allowed to sit on October 8 and 15; but if you recommend some better way of handling it, I know the committee will be glad to do so.

**Mr. Nixon:** Mr. Speaker, I find it quite refreshing that one of the committees would actually meet its deadline even by an interim report asking for further time. Frankly, I, for one, appreciate that, rather than the growing procedure whereby the instructions given by the House to give a report at a certain date seem to be uniformly ignored.

As far as we are concerned, I think, understanding the circumstances, we might very well accept the report and not adjourn the debate, giving the committee additional time to complete its work.

**Hon. Mr. Wells:** Mr. Speaker, it is certainly agreeable to us either way. The normal way of handling this would be for myself as government House leader to bring in a motion indicating they wanted to amend their terms so they could have a little longer time and also to sit on those days. However, if it is the wish of the House, rather than prolong the business we could accept this report without precedent and we would achieve the same end.

**Mr. Speaker:** I hear no objections to that course of action.

Report adopted.

## MOTIONS

### STANDING COMMITTEES

**Hon. Mr. Wells** moved that the standing committees of the House be reconstituted.

**Hon. Mr. Wells:** I might just say, Mr. Speaker, before reading this that there are so many changes that I think it is easier and better understood by the House and by all those who read Hansard that rather than bringing in a motion to replace so and so with so and so, it is easier just to reconstitute all the standing committees and read their membership. That is what I am now doing.

3:30 p.m.

**General government:** Messrs. Ashe, Charlton, Cureatz (chairman), Duszta, Epp, Hennessy, Hodgson, Laughren, Leluk, Mancini, McEwen, McGuigan, Rotenberg, Samis and G. E. Smith.

**Resources development:** Messrs. Eaton, J. Johnson, Lane, Lupusella, Makarchuk, McNeil, G. I. Miller, W. Newman, J. Reed, Riddell, Swart, J. A. Taylor, Van Horne, Villeneuve (chairman), Wildman and Yakabuski.

**Administration of justice:** Mr. Bradley, Mrs. Campbell, Messrs. Cooke, Havrot, Kerr, Makarchuk, McCaffrey, Philip (chairman), Roy, Mrs. Scrivener, Messrs. Sterling, Stong, Swart, G. Taylor, Williams and Young.

**Social development:** Messrs. Belanger, Blundy, Bounsall, Gaunt (chairman), Grande, Jones, Kennedy, Kerrio, Martel, McClellan, O'Neil, Ramsay, Rowe, Sweeney, Turner and Watson.

**Public accounts:** Messrs. Germa, Hall, Isaacs, Leluk, MacBeth, Makarchuk, Peterson, Ramsay, T. P. Reid (chairman), Sargent, G. Taylor and Turner.

**Regulations and other statutory instruments:** Messrs. Cureatz, M. N. Davison, Eakins, MacDonald, McCaffrey, McKessock, Rollins and Williams (chairman).

**Members' services:** Ms. Bryden, Mrs. Campbell (chairman), Messrs. Jones, B. Newman, G. E. Smith, Worton, Watson and Young.

**Procedural affairs:** Messrs. Breaugh (chairman), Charlton, M. Davidson, Mancini, Rotenberg, Rowe, Ruston and Sterling.

Motion agreed to.



## SELECT COMMITTEES

Hon. Mr. Wells moved that the select committees of the House be reconstituted as follows:

Company law: Messrs. Blundy, Breithaupt (chairman), Cunningham, Germa, Hodgson, Laughren, Lawlor, MacBeth, T. P. Reid, Rotenberg, G. E. Smith, G. Taylor, Van Horne and Yakabuski.

Ombudsman: Mrs. Campbell, Messrs. Eakins, Havrot, Isaacs, Lane, Lawlor (chairman), McClellan, G. I. Miller, J. A. Taylor and Villeneuve.

Ontario Hydro affairs: Messrs. Ashe, Belanger, Bounsall, Bradley, Cureatz, Foulds, Haggerty, Hennessy, Kerrio, Leluk, MacDonald (chairman), Mackenzie, McGuigan and Williams.

Constitutional reform: Mrs. Campbell, Messrs. Conway, Di Santo, R. F. Johnston, Leluk, MacBeth (chairman), McCaffrey, Ramsay, Renwick, Roy, Samis, Sweeney, G. Taylor, J. A. Taylor and Villeneuve.

Motion agreed to.

## PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Wells moved that Mr. Kerr be deleted from the order of precedence for private members' public business and that all members of the Progressive Conservative caucus listed below be advanced by one place in their turn.

Motion agreed to.

## COMMITTEE TRAVEL

Hon. Mr. Wells moved that the select committee on company law be authorized to travel to Vancouver for the period October 17 to October 22 and that the provisions of section 66 of the Legislative Assembly Act not apply except to cover actual committee expenses.

Motion agreed to.

## INTRODUCTION OF BILLS

### BEEF CATTLE MARKETING AMENDMENT ACT

Hon. Mr. Henderson moved first reading of Bill 152, An Act to amend the Beef Cattle Marketing Act.

Motion agreed to.

Hon. Mr. Henderson: Mr. Speaker, in order that the honourable members will understand the act: first, it is to change the method of calculating the licence fee to in-

crease it up to two tenths of one per cent; second, it is to provide for a livestock commissioner to issue a list of plans approved for purchase of cattle on a carcass weight basis; third, it is to increase the penalty for contravention of the act or regulation to a maximum of \$1,000.

### WARBLE FLY CONTROL REPEAL ACT

Hon. Mr. Henderson moved first reading of Bill 153, An Act to repeal the Warble Fly Control Act.

Motion agreed to.

Hon. Mr. Henderson: Mr. Speaker, for those who do not understand this act, it would appear they have not been infested with warble fly, but the act is just to repeal that act.

### EMPLOYMENT STANDARDS AMENDMENT ACT

Mr. Van Horne moved first reading of Bill 154, An Act to amend the Employment Standards Act, 1974.

Motion agreed to.

Mr. Van Horne: Mr. Speaker, the purpose of this bill is to amend the Employment Standards Act in order to provide additional protection to employees who are laid off or whose employment is terminated. The bill extends the time period for giving notice to an employee of a layoff or termination of employment. The bill requires an employer to provide assistance to the Minister of Labour, trade unions and employees in any action or program designed to re-establish employees in employment. The bill also requires an employer to pay severance pay to employees whose employment is terminated.

### FULL EMPLOYMENT ACT

Mr. Lupusella moved first reading of Bill 155, An Act respecting Full Employment in the Ontario Economy.

Motion agreed to.

Mr. Lupusella: Mr. Speaker, the bill requires the Treasurer of Ontario to table in the Legislative Assembly an economic report setting out the plan of the government of Ontario for economic development and the achievement of full employment.

The bill also establishes a standing committee of the Legislative Assembly to be known as the standing committee on economic development, to evaluate the state of the economy, to monitor the economic development of Ontario, to assist the progress

of the government of Ontario towards achieving full employment and to investigate problems in the economy.

3:40 p.m.

### JOB SECURITY ACT

Mr. M. Davidson moved first reading of Bill 156, An Act respecting the Security of Employment in Ontario.

Motion agreed to.

Mr. M. Davidson: Mr. Speaker, this bill establishes measures designed to protect the security of employment in Ontario. Part I of the bill provides for the establishment of a job protection board. The job protection board is required to study and report upon and make recommendations concerning layoffs and plant closings that are of major significance.

The Minister of Labour is given authority to make orders designed to reduce the impact of layoffs and plant closings on individual employees and communities.

Part II of the bill establishes a community adjustment fund for the purpose of providing assistance to communities that are detrimentally affected by layoffs and plant closings.

Part III of the bill contains amendments to the Employment Standards Act, 1974, and to the Labour Relations Act. These amendments are designed to provide employees with additional rights regarding notice of termination, termination pay, rehiring rights and relocation rights.

Part IV of the bill contains amendments to the Pension Benefits Act. These amendments reduce the vesting period under pension plans to five years and establish a central pension agency to administer the pension credits of employees whose pension plan is terminated or wound up.

### WOMEN'S ECONOMIC EQUALITY ACT

Mr. Charlton moved first reading of Bill 157, An Act respecting Economic Equality for Women in Ontario.

Motion agreed to.

Mr. Charlton: Mr. Speaker, this bill establishes the equal employment office in the Ministry of Labour and the equal employment tribunal. The bill requires designated employers to report to the equal employment office information relating to rates of pay and the number of male and female employees in occupational categories.

The director of the equal employment office is authorized to order an employer to prepare an affirmative action program. Where an employer disagrees with the director's

order, or where the employer and director cannot agree on an affirmative action program, an application may be made to the tribunal to resolve the dispute.

The bill also contains provisions requiring the government of Ontario to develop a comprehensive skills training and apprenticeship plan designed to increase the number of women in occupational categories in which women are traditionally underrepresented.

The bill declares the right of every person in Ontario to accessible, quality day care service for children for whom the person is responsible.

The bill also contains amendments to the Employment Standards Act, 1974, establishing the principle of equal pay for work of equal value and constituting sexual harassment as an offence under that act.

### PLANT CLOSING NOTICE AND DISCLOSURE ACT

Mr. Mackenzie moved first reading of Bill 158, An Act respecting Plant Closures and Disclosure in Ontario.

Motion agreed to.

Mr. Mackenzie: The purpose of this bill is to establish procedures for giving notice, including 26 weeks' notice to the employees of a decision to close a plant. It provides for a public audit board. The bill contains a provision clarifying that the Ontario Development Corporation is authorized to invest in a plant regarding which a notice of plant closing has been issued under the act.

### LABOUR RELATIONS AMENDMENT ACT

Mr. Mackenzie moved first reading of a bill entitled, An Act respecting amendments to the Labour Relations Act.

Mr. Speaker: I can't understand it. Tell him to reintroduce it tomorrow when I can read it.

### ORDERS OF THE DAY

#### MOTION TO SUSPEND NORMAL BUSINESS

### PROTECTING WORKERS FROM LAYOFFS

Mr. Cassidy: Pursuant to section 34 of the standing orders, Mr. Speaker, I want to move that the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely the failure of the ministry to ensure adequate job security for Ontario workers in respect of layoffs and plant closures. This is evidenced by the fact that at least 138,850 people have been laid off so far in 1980. Legislation covering notice, sever-



ance pay and pension portability is grossly inadequate to protect the economic rights of workers who have become victims of layoffs and plant closures. I move the motion and I could then speak to it.

**Mr. Speaker:** The notice of motion was received in time and complies with the standing order. I will listen to the honourable member for up to five minutes as to why he thinks the ordinary business of the House should be set aside.

**Mr. Cassidy:** Thank you, Mr. Speaker.

Ten months ago this House held a debate on the layoffs in the auto industry and the crisis in that industry. Since then things have become worse and have spread beyond the automobile industry to other firms and into every corner of the province.

So far, as the resolution says, more than 138,000 workers in the province have been put on layoff since the beginning of this year. That is close to 1,000 every working day, and 4,600 of those layoffs are permanent or indefinite; in other words, the jobs are permanently lost.

The workers in this province are up against a wall and the legislation that is meant to protect them is, quite simply, inadequate. All the workers get right now, when they face a layoff, is the notice they are to lose their jobs. There is no justification, there is no guarantee of a cent in severance pay, they don't have the protection of their pension rights. We have situations like the workers at the Houdaille plant in Oshawa where, with an average of 29 years of seniority, they were offered one week's severance pay for every seven years of service.

The workers in that case stood up for their rights when the government would not. They sat out at the plant and finally the company was forced to come to some better terms.

**Hon. Mr. Davis:** Give the minister a little credit.

**Mr. Cassidy:** I want to give the workers credit, Mr. Speaker, because it is the workers who had to do it. Too many workers are being left without that protection at all.

3:50 p.m.

**Hon. Mr. Davis:** Give him a little credit as well.

**Mr. Cassidy:** I would like to give him credit when the government brings in the necessary legislation and that is what this emergency debate is all about.

When the Premier drove by the Tung-Sol plant in his home riding of Brampton, he wouldn't even wave his hand at the workers

there who were left with \$800 offered to them in severance pay for up to 17 years of service.

**Hon. Mr. Davis:** You are getting very petty. The reality is that I didn't drive by.

**Mr. Cassidy:** They said you did. The workers in Ontario, as far as we are concerned, should not have to resort to occupation in order to get justice. They should not be left high and dry; there should be legislative protection in Ontario.

There is a critical need for longer notice periods. There is a critical need for legislation that will require corporations to justify layoffs. There is a critical need for a guarantee of severance pay. There is a critical need for vesting improvements and for portability for workers whose pensions are affected by layoffs. Without that change in legislation, confrontation is inevitable.

We think workers need action and solutions from the Ontario Legislature. The outlook now is for no improvement over the coming months. We could be faced with layoffs in the next few weeks that are every bit as severe as the ones we have experienced over the course of the last seven or eight months. That is why we believe this is a matter of urgent public importance for which the ordinary business of the House should be set aside. We think the workers should get protection for job security, protection for their severance pay and protection for their pension, and they need that protection now. That is why we want the debate.

**Mr. S. Smith:** Mr. Speaker, in the interest of saving time, I will simply say that we certainly believe the way in which Ontario has now become the layoff capital of Canada is certainly not creating any particular joy or pride in the homes of thousands and thousands of Ontarians and it doesn't give us any joy or pride either. We would rather be talking frankly about how we can get this economy moving again. We think some of the industrial strategies that have been recommended on this side of the House from time to time would have been helpful, but they have not been adopted. Instead, we find ourselves having at least to bandage the wounds if we can't cure the disease.

I must say I was surprised and it seems to me absolutely incredible that after an entire summer of these sit-ins and occupations, layoffs by the thousands of persons, the marches and so on, the government could have not have come in here on the first day of this House and presented some legislation along the lines of improving the Employment Stan-

dards Act with regard to severance pay, lay-off notice and portability of pension, although I will admit that is a slightly more different matter but, none the less, one that should have been addressed by now.

I can't believe that we have been treated, on a day like this, to a bill to repeal the Warble Fly Control Act, or that the government needs four more days or five more days or whatever more days—I don't know how many more—in order to come in with something as vital and important as protection for the working people.

Without belabouring the matter, I would simply say that we too believe this is a matter of urgent importance. In fact, I would go so far as to say that I would like to start this session on a somewhat friendlier note than the need to be provocative.

I would say that I look forward to the government's legislation and I hope that it is good enough. If it is not good enough and if it is not within some reasonable hailing distance of what we have suggested should be the case in Ontario, then, although I am not here on the first day to provoke confrontations, I think we should accept the fact that a government that won't protect its workers should be defeated and a new one should be elected.

It may be that to accomplish that the members of the third party may feel some obligation that a motion be worded in their own language or something. That is fine—I don't mind—but by one means or another I think we should combine, if necessary, to bring down this government if it will not act to protect the interest of the workers. We don't think an emergency debate is sufficient to force this government to act. We believe the government must know the opposition means business.

**Hon. Mr. Wells:** Mr. Speaker, I think we would agree there are certain facts on both sides of this issue that should be explored, and they should be explored in a calm and reasonable way.

The problems of unemployment, whether it be regional, temporary, general, or whatever, of a permanent nature or a temporary nature, is a serious matter; we accept that. We also accept, though, that it is something upon which no party in this House has any monopoly. I have a group of colleagues in this cabinet who have probably spent more time thinking and worrying and trying to develop programs in this area than the honourable member has ever even thought about.

No level of unemployment is acceptable to this government, and we have never said that, and no level of layoffs is acceptable.

#### Interjections.

**Hon. Mr. Wells:** Let me tell you, Mr. Speaker, the trouble is the members on that side approach everything with tunnel vision. They are looking only at a problem. They forget the fact that we have in this province this year 35,000 more people working than we had at this time last year. The Treasurer (Mr. F. S. Miller) is going to fulfil his pledge of creating 59,000 new jobs. As my colleague the Minister of Industry and Tourism (Mr. Grossman) just said, in the automobile industry there have been 72 new plants coming on stream, creating about 10,000 new jobs.

What all that means is, while looking at the problems—and we admit there are problems created by plant closings and there are real serious problems for the people affected—we are also looking at a total broad picture of not only plant closings and problems created, but total revitalization of the economy of Ontario, something which I think the honourable members forget about, and I think it must be looked at in a total picture. In a mixed economy and a free market society, which we believe in, we can't totally control all layoffs, and I don't think there is anyone in this House who wants to, to the extent that they want government control to that degree in this province and in this country. Therefore, all we can do is look for ways that we can minimize the problems, and I suggest to the members that we over here are just as concerned about that as they over there and that as plans unfold they will find that concern coming forward in the reality of action programs.

I don't want to be provocative in my remarks, and I certainly didn't mean to be in these few remarks, as I stood up merely to indicate that we certainly have no objection to this matter being aired in a very thoughtful and careful way. We think there are initiatives and discussions that can be helpful. Our friends in the New Democratic Party have suggested that this be a matter of debate today. We certainly wouldn't object to that procedure being followed.

**Mr. Speaker:** I have listened very carefully to comments from representatives of all parties. There seems to be general agreement that it is of urgent public importance. It does comply with standing order 34, so the only question before the House is, shall the debate proceed?

Agreed.



**Mr. Speaker:** I will listen to the member for Ottawa Centre for up to 10 minutes.

**Mr. Cassidy:** Mr. Speaker, in my riding of Ottawa Centre the Beach foundry has closed down effective October 1, the Ottawa Journal was crucified by large corporate management with the loss of about 350 jobs, and what has happened in Ottawa Centre has been happening in many parts of the province and not just to people who work in the automobile industry.

In Peterborough the other day I met with workers from the Outboard Marine plant, a plant which in 1973 had 2,400 workers. Systematically, the foreign ownership of that corporation has stripped it of activity and stripped it of jobs. They do not make chain saws any more; they do not make snowmobiles any more; they do not export to Latin America any more.

They have had the machine shop taken out, that has gone now. The production of parts has been taken out. Each of those changes has reduced jobs to the point where they now have only 900 workers, of whom about 300 actually work in the plant. That is one example of hundreds across the province where layoffs are taking place, and this province is becoming deindustrialized.

4 p.m.

I could mention Canadian General Electric which has also had a systematic stripping of jobs in its cable operations in Peterborough. I could mention Peterborough Lumber, DeLaval, Houdaille, Tung-Sol, Bendix, Arrowhead, Steeprock, Massey, White Motor, Ford, General Motors, Chrysler, Canada Ferro, Gabriel, Sealed Power in Stratford, Vulcan Equipment in Fergus, Crownfab in Oakville, the Essex International plant in Dunnville, which used to have almost 1,000 workers. It had 98 when the final blow came just a few weeks ago. They came back from holiday to be told there were no jobs for them.

This is what is happening across the province and in our opinion it is not good enough for the government to rest all summer and then for the Premier (Mr. Davis) to say we need a balanced approach, for the Minister of Labour (Mr. Elgie) to say as far as he is concerned workers sitting in at plants to get their rights is not the way to go, and for the Minister of Industry and Tourism to spread scare stories across the province in trying to dissuade anybody from wanting to take any action.

As far as New Democrats are concerned, the protection for workers in this province is grossly inadequate. Again and again, I have met workers who have told me about the situation in their plants. Typically, until the plant actually closes, they are assured and reassured and assured again that nothing is going to happen. Management says: "Everything is okay. Of course we are having a study, but don't worry, fellows, don't worry, girls, nothing is going to happen."

Under Ontario law nothing needs to be done by management until they finally decide on a mass layoff. If a mass layoff takes place, the notice is a maximum of four months if 500 workers or more are to lose their jobs, but in most cases it is only eight weeks when 50 to 100 or 200 workers are actually involved. That is far too little time for a community to respond and for the government to respond either to save the company or to find new jobs for the workers who are affected.

I want to suggest and will suggest over the course of this fall, if we cannot get action today, then what is done in the Common Market countries could surely happen in Ontario as well. It is not good enough for the government to keep maintaining that what happens in Pennsylvania or in New York is the only standard by which we should live. I notice West Germany and France and the other countries of the Common Market have very successful industrial economies. Corporations in those countries manage to live and to work with layoff protection and job security legislation that puts this province to shame.

In Sweden there is a six-month notice period if more than 100 workers are laid off. In West Germany the works council which is elected by workers has to be informed before a proposal to shut a plant down even goes before the works council. In Ontario there is nothing like that at all. In other countries it is accepted now that workers have an investment in a company, the community has an investment in a company that has been in a town for a long time and that investment of the community and the workers should be recognized in turn by putting responsibilities on to the corporation.

Here there is no sense of corporate responsibility at all unless we can get some changes, and I plead with the government to be prepared to bring legislation in, to acknowledge the investment that workers and the communities have in a company and not just the investment of the shareholders.

In other countries the companies are required to open their books in order to show why they are laying off or why they are shutting down. In this province there is no such requirement at all.

At Tung-Sol in the Premier's riding they told me there had been a feasibility study or an unfeasibility study carried out by the head office in the United States which was the basis on which the shutdown was determined, but neither the workers nor the union nor the community nor the government of Ontario ever had a look at that feasibility study to see whether it was a sensible document or whether, in fact, it was a crooked-up piece of nonsense designed to protect the head office or designed to prove simply that a slightly greater profit could be earned by putting workers in Canada out of their jobs.

The European Common Market has now directed all member countries to require employers to consult with worker representatives for ways to avoid layoffs. We should do that in this province. The countries of the European Economic Community say companies must supply their workers with all relevant information and should justify dismissals to the government. That should happen here in this province. That is why my colleagues have tabled legislation today to establish a job protection board in Ontario, specifically to protect workers and give us the maximum chance of saving plants that are headed for shutdown. I believe that should be enacted and put into law between now and Christmas.

This summer, the workers at Houdaille and at Tung-Sol moved into the plants to try to get some justice. They won in the short term; they got better severance pay and better pension protection. But the fact is that two thirds of the workers in this province don't belong to a union. Half of the workers in industry in this province don't have the protection of a union. They look to government for protection, because if government doesn't protect them, they have no protection at all.

I have a list here of communities that are affected by the layoffs. Every major community across the province, and most of the small ones as well, has had some form or another of a share in the 138,000 jobs that have been lost because of layoffs over the course of this year.

When workers are laid off, they should have a right to severance pay. That is the law in Mexico, which is a poor country that has taken jobs away from Canada. That is the

law in Britain, where they get a week and a half of severance pay for every year of service. In Japan, Italy and Spain, countries with which we compete, workers get between two and three years of severance pay if they are thrown out of their jobs, rather than a handshake and directions to the unemployment insurance office, which is all they get here in Ontario. It is time we made severance pay a right and a reality for the workers in Ontario, the way it is in most other industrialized countries of the world.

Finally, when it comes to pensions, the record in Ontario is no better than anywhere else I have talked about. The fact is that there is no effective pension protection except when a worker is over 45 years of age and has had more than 10 years of service. We think it is time to change that and to change it fast, not to wait for studies and reports and royal commissions and that kind of thing.

Let's act now while workers are actually being affected. Let's give some security to workers who feel their jobs are on the line. Let's start responding to the insecurity so many of our workers feel in Ontario today. Let's start getting some action from the government, rather than pious sermons from ministers to explain why the government continues to believe that all it can do is to listen to the voice of the Canadian Manufacturers' Association.

We think the crisis can no longer be ignored. We think measures are needed for job creation and that job creation has got to start now. We are very concerned about the fact that some 18,000 manufacturing jobs have actually disappeared. We have had a decline of 18,000 jobs in the manufacturing sector between August of last year and August of this year. The manufacturing sector is the engine of growth in the province, and that's going to continue to be the case in the future if we are to have any economic growth or development at all. But those kinds of things won't happen so long as this Legislature sits idle.

I want to propose that the government today make a commitment to legislate fair severance benefits, to protect the pension rights of workers, to legislate on portability and vesting; that it agree now to legislation to make corporations justify any shutdown before it actually takes place and to make corporations negotiate with the workers or negotiate with the unions in the communities involved around any shutdown to mitigate the effects to the maximum effect possible.

Those are constructive proposals, Mr. Speaker. I am disappointed that the government didn't have a statement to make today



about what it would do to respond to unemployment.

**The Deputy Speaker:** The honourable member's time has expired.

**Mr. Cassidy:** The crisis is not going to go away until we take action through legislation here in this Legislature.

**Hon. Mr. Elgie:** Mr. Speaker, as has been mentioned earlier, I will have a statement to make on this matter later in the week. In addition, my statement will deal with some other concerns related to job security: labour-market adjustment problems, individual and community problems that are associated with dislocations in the labour market because of plant closures.

4:10 p.m.

**Mr. S. Smith:** You had all summer, Bob.

**Hon. Mr. Elgie:** I have to tell the member that we do not all play tennis all summer, and I worked very hard and I continue to work very hard because I am concerned about these matters and these issues. They have been important to me as Minister of Labour and they have been the subject of considerable studies done by me in conjunction with the Ministry of Industry and Tourism and with the Treasurer over the summer. My aim is to present to this House and to the public a set of credible, responsible, affordable and comprehensive proposals that address real problems in this province, rather than proposals that frankly are based on transplanted models from other jurisdictions, which I think have dubious application in the North American context.

I looked forward to making that statement, and while I would have preferred to be in a position to do so, and to be involved in this debate after such a statement, I understand the reasons for the debate today and I am delighted to take part in it.

By way of further introduction and without in any way suggesting that there are no real problems to be addressed, I should like to say that it is important that we examine the facts dispassionately. Too often—and I think we all know this in our hearts—individual, highly publicized incidents take on a highly symbolic significance which may not accurately reflect the degree of the problem.

In addition, it is all too often the case that certain employers regrettably fail to live up to what society regards as a legitimate moral obligation to their employees. As a result, and I say this having talked to many companies that have lived up to those obligations, they all get a bad name. However, I want to emphasize that I point these factors

out simply to try to put the matter in perspective and to try to deal with the matter on the basis of facts rather than emotions.

Having said that and having indicated that I want to refer to some figures, I do not think in all honesty that human problems can or should be evaluated on the basis of statistical analysis, and I do not think we can look at plant closures as the bottom line on a company's profit sheet.

The final observation that I would like to make by way of introduction is that it does not serve the purpose of the province for any of us to indulge in exaggerated hyperbole on a matter that is so critical to our image in Canada and abroad. The fact of the matter is that the economy of Ontario has great and enduring strength, both in terms of its human and natural resources, and more particularly in terms of its manufacturing sector.

Having said that, it is apparent that we, like many or most jurisdictions in North America and, indeed, the western world, are going through difficult times. This has happened to us before and will happen again, and it is no time for us to appear to be despondent or depressed about our future, which I believe remains encouraging.

In these times, we must be imaginative in shaping solutions for what I believe are temporary problems, and it is to these solutions that I will refer in my statement later this week.

My colleagues, the Minister of Industry and Tourism and the Treasurer, will deal in detail regarding the economy and job creation activities in Ontario.

I should like to deal briefly with the available records on layoffs and plant closures and to share with members some of the most recent information on that aspect of the matter which goes to the heart of the problem addressed in the motion by the NDP.

Again, I do not give these figures in any way to suggest that I am disparaging the numbers of unemployed, but rather to set it in a proper context. The leader of the third party has talked about 138,850 people being laid off in 1980. Our figures show that there are 19,586 who have been permanently or indefinitely laid off, and thus the balance we are talking about are those who are on temporary layoff or who have worked in plants that have less than 25 employees.

Let me just look at the figures for April 1980, when there were 11,000 temporary layoffs; in May there were 25,000 temporary layoffs; in June there were 10,000 temporary layoffs; and in July there were 23,000 temporary layoffs. We are already starting to see a turnaround in that area.

I would also like to point out that if the member for Ottawa Centre (Mr. Cassidy) would take the time to read the historical data related to job creation and plant closures, he will find that in every community, town, village, county and country there will always be a certain proportion of new jobs created and a certain proportion of jobs lost.

They are virtually equivalent, in all situations, with fluctuations related to the state of the economy. Indeed, this is what our figures from the Ministry of Labour show. It is almost inevitable that in any year there will be at least 45 to 50 complete closures of plants. In 1979-80, this figure has risen to 68.

Incidentally, it is interesting to note that the number of employees who are dislocated as a result of those complete closures remains virtually the same as it has over the past six or seven years. What is interesting, however, is that there has been a great increase in the number of partial closures and it is here that we see the largest number of employee dislocations.

So there are intrinsic factors in the economy which will result in job loss and job creation in any society at any time and any place. Our main thrust has to be in the job creation area and I think it is important that this government, in a very human and sensitive way, deals with the problem of dislocation facing people in job closure situations.

I think it would be appropriate to refer to the programs which are in place already in this province which aim at giving assistance to employees who are suffering hardship as a result of dislocation. In addition to the federal programs, which cover things such as unemployment insurance, mobility grants and training grants, this province has the Employment Standards Act termination provision which, although some members may say is not enough, I have to say has been in the forefront in North America and continues to be in the forefront in North America. I might say that the number of weeks notice required in terms of closure in this province are the equivalent of any figures anywhere in North America. I think one has to take those facts into account when one is talking about changing the law.

I would also say that the province participates in manpower adjustment committees. I know many scoff at these, but the facts are there that something in the neighbourhood of 70 per cent of dislocated employees find new employment with the assistance of manpower adjustment committees. So they have a very effective role to play in dislocations and we

will continue to be active and participate in them.

Indeed section 40(a) of the Employment Standards Act gives me the power to compel participation in those committees and I have commenced using that power in recent months.

I would also refer to other matters which the leader of the third party has referred to, specifically the mediation efforts which my ministry took part in with regard to the Houdaille, the Beach and the Tung-Sol closures. I think these are the examples where mediation achieved reasonable, credible and logical settlements and I think we can continue to do that sort of thing in the interim while we think and talk about other programs which we deem to be necessary in the case of worker dislocations.

Finally, I may say that I will be reviewing this matter in greater detail later this week and I look forward to further discussion on the matter.

**Mr. S. Smith:** Mr. Speaker, we have recently completed a 13-city tour of Ontario and I will tell you, it is not a very pleasant situation to be going around a province which is used to being a leader in Canada and finding ourselves in a place which could best be described as layoff land or pogeys province. We find Ontario is now responsible for some 90 per cent of the new unemployment.

When I went out to Alberta, where they like to complain about some of the problems we bring up from time to time, I pointed out to them that if we took last year's level of unemployment and this year's level of unemployment, just the difference between the two, the new unemployment in Ontario in one year alone is equivalent to the entire work force in Lethbridge, Red Deer and Medicine Hat, the third, fourth and fifth largest cities in Alberta, combined. We could shut those towns down cold, the entire work force, and that is just the newly unemployed during the last year in Ontario alone.

4:20 p.m.

We have a situation where many of the layoffs which are occurring here and the plant shutdowns which are occurring here are dictated by the foreign owners. Let us not mince words about that. There are decisions made in other countries where the workers or the political situation there dictates to the management that they might be wise to bring some of their production home and they feel entirely free to do so,



irrespective of whether the plants here are making money or are not.

In other instances, plants have been closed for reasons even more harebrained than that. If we look at the Westinghouse situation, there was a perfectly profitable plant, the switchgear plant in Hamilton. It was closed because an American president who came up here had some notion that you can get away from your union if you break your plant up into a bunch of small ones and go to rural areas where folks may not be too receptive to union ideas. The Labour Relations Board pointed out that is what happened and the Supreme Court said that is what happened, but the Conservative Minister of Industry and Tourism thinks the company had to deal with workers whom, when they tried to defend their own rights, he referred to as semi-Communist.

This is what we have to deal with with a Conservative government. We have working people who have very little protection. We were in Windsor where a number of people came up to us there and said they had hoped, even though they lost their jobs at Chrysler, that maybe General Motors would start to hire. Yet, many of these people, if they were to go to General Motors, they would forfeit all those pensions they have saved up over the years of working at Chrysler because these pensions are not portable.

How about the people who are being laid off from all these small plants with under 25 employees that the minister seems to regard as being of lesser importance? What about those people who don't have pensions in many instances, or where the pensions are not vested until 10 or 15 years of service, or where pensions are regarded as a way by which the employer can keep hold of the employee, rather than as the right to deferred wages of the employee?

What about those people in cases where one plant shuts down or they are laid off from another or they change jobs for self-improvement and end up after 20 or 30 years of service with no pension at all, while we are all sitting here protected by the pensions which we are voting ourselves from time to time? Tens of thousands, hundreds of thousands, yea, even millions of workers in Ontario do not have pension protection in their private situation, in their place of employment. All we have to do is have a portable pension—it is not that difficult—and one that is vested immediately, or at least within a few months of a person's taking up employment. It can be done.

The Minister of Education does not think it can be done, but the teachers under her employ have pretty good pensions.

**Hon. Miss Stephenson:** I didn't say it could not be done.

**Mr. S. Smith:** It can be done for the working people and it can be done for the people who are either in unionized or nonunionized situations. Remember, most people are still not unionized and need the protection which a government can give them.

What about severance pay? Why should they have to sit in and get into battles with dogs and guards and police just to get decent severance pay? That is not right. We should have laws which give proper severance pay to our working people.

Portable pension, severance pay and layoff notice are concerns. Layoff notice, one can argue, is something which in the long run doesn't do anybody a terrific amount of good, but at least it helps people over that period of time when they are losing their jobs and have to make other plans for their lives. It is absolutely wrong to continue the way we are now with insufficient layoff notice for these people.

What about the branch plants which are moving the machinery out when they close down the plant? Don't tell me that is not happening because I know for a fact it is. Companies are shipping out machinery on which, I suspect, they have already taken accelerated depreciation at the public expense. I say that for the Treasurer's benefit in case he is interested in the matter.

What about this idea of justifying the lay-off and justifying the plant closure? It is a difficult one; I realize it is not simple. We can have a tribunal of some kind or a board of some kind; others have suggested the Foreign Investment Review Agency should be involved. We have recommended that there has to be justification for plant shutdown. As to the mechanism, we think that is a very good question for a select committee to deal with over the next couple of months—to listen to other opinions, bring people in from other jurisdictions and find out what the best mechanism is that would work in Ontario. Don't just tell us, as this government does, that because they are not doing it in Tennessee or North Carolina we can't do it here in Ontario.

There was a time when Ontario led this country and led this continent in human rights legislation, in workers' legis'ation. That time has long gone. Now we have to wait for everybody else to do something before we do anything here.

**Hon. F. S. Miller:** Where is there better legislation?

**Mr. S. Smith:** In Europe. Let us lead again. What is wrong with leading North America? Why do we have to wait for somebody else to do it first?

**Hon. F. S. Miller:** We are leading North America.

**Mr. S. Smith:** Oh, sure. Tell me another one. The only thing we're leading in now is layoffs. We're the leading province in layoffs. We're 10th and last in economic growth through the end of the 1970s. We're 10th and last in the funding of our universities.

The fact of the matter is that in a province—

**Interjections.**

**Mr. S. Smith:** Time is moving on, and we have only 10 minutes. Mr. Speaker, we all know we're talking constitution and so on, and we saw how Ontario was taking its own stand, opposed to the other provinces. And it was a correct stand. But a lot of what was happening there, in my view, was a result of the fact that Ontario is perceived as no longer carrying its economic weight in this Confederation. We're perceived as the sick old man of Canada, in many ways.

You look at the trade statistics in this country and you see—

**Hon. Miss Stephenson:** First, Ontario is not an old man.

**Mr. S. Smith:** When I see the minister, maybe we should be described as the sick old lady of Canadian politics. But the fact is that we're not carrying our own weight.

**Hon. Miss Stephenson:** That was a sexist remark.

**Mr. Van Horne:** Would you accept middle aged, Bette?

**Mr. Sweeney:** You are getting sensitive, Bette.

**Mr. S. Smith:** Mr. Speaker, if one looks at our trade statistics right now, one will see that this country has a deficit in manufactured-end-product trade of \$18 billion. We're supposedly the manufacturing arm of this country; we're supposedly the part of this country that manufactures. The only reason this country stays afloat is because Canada is shipping out raw resources to balance the fact that it is importing manufactured goods.

We're supposedly the manufacturing province, and we are perceived by the rest of this country as wanting to live on the resources of the rest of the country so we can continue to be the worst manufacturers in the world—

the most inefficient, and those with the least strategic sense of direction.

We require in this province a manufacturing strategy. We're not going to talk about that today, obviously. But we certainly require, because of the failure of our ability to carry our weight, protection for our working people. Although it is all very well for the minister to say he's working on a statement, this is now October 6. We haven't been in this House since the end of June. He has a whole ministry full of officials and civil servants. He should have had a statement ready for this House and for the working people of this province today.

The fact is we require this kind of protection for our working people. It is unfortunate we do not have the manufacturing strategy that would get this province moving again. It will take an election to bring that about, I suspect. But in the meantime, surely the very least we can do is have portable pensions, with earlier immediate vesting, decent severance pay, decent layoff notice, and some procedure, decided by a select committee if you like, by which plant shutdowns have to be justified to their communities, the working people, and the people of Ontario at large.

**Mr. Breaugh:** Mr. Speaker, this province is experiencing something which I don't think it has ever in its history seen before. We are accustomed here to seeing firms in the private sector that encounter some financial difficulty laying people off. We are not accustomed to seeing firms in the private sector that are making money deciding that a plant should no longer stay in operation.

We're not accustomed to that, perhaps because we haven't looked at it as closely as we should have in the past. But there is no question that corporate decisions are being made in boardrooms, most of which are located somewhere in the United States, that will take even more of our plants out of production.

In my area, since January of this year, we have dropped about 3,000 production jobs. It has happened in bits and pieces. It has happened at Chrysler; it has happened a little bit at General Motors; it has happened a lot at plants like Houdaille and at Firestone.

What we've seen now is an entire community, like Whitby, having its major employer, Firestone, taken out of operation. This was not because the plant was losing money, and not because it hadn't spent its time doing research and development to put in new production facilities and to have in place a work force that was both stable and



developing expertise in a field that not many people have.

4:30 p.m.

In the Firestone case, what we saw was a federal government decision that for some strange reason Michelin Tires Canada Limited ought to get gobs of federal money. The end result was that we lost 600 jobs in Whitby. We didn't really see a great deal of action on the part of the provincial government.

I thought it would be interesting in the case of the Firestone closure to bring that before a committee of this House; and the rules now provide that a member can do that, so we did. We asked members of management to attend before the committee to explain their production decision. In a sense it was simply a policy of retrenchment, not that the Whitby plant was losing a great deal of money or that it hadn't overcome its early production problems, but that the federal intervention to pump money into Michelin caused them to lose their share of a market that was already overburdened. A corporate decision was made, quickly, simply, cleanly to close the Whitby operation.

We also listened to the tragedy of workers who have invested a lifetime in one plant situation and who all of a sudden are told that the plant is no more, and they will close the doors.

I thought it clear, as we went through those hearings, that there were things which this Legislature should do. I put them on paper and I circulated them to other members of that committee because I had watched with some hope when members of other political parties nodded wisely when the workers told the sad tragedy and asked, "What do you do when you are 49 years old and your plant is gone and there is no more hope for you?"

People at that time seemed to express a great deal of sympathy for these workers and they seemed to agree with the idea that there ought to be better notice of a termination; that if you want to have the government agencies in place to recoup in the private sector they need time—six months or so. I watched them nod their heads wisely about the idea of a portable pension plan. I watched them listen with great sympathy to the idea that the federal government ought to be made well aware that their intervention in that particular case with Michelin put 600 people in Ontario out of a job.

As we looked at how the relationship was established between the Ontario Development Corporation and various government

agencies with the private sector, I saw them look at that and say: "Yes, that really ought to be tightened up. It ought to be clear. There ought to be a clearly defined agreement when government funding goes to work." I watched, as well, discussion of the matter of skilled trades programs being set up and a temporary assistance benefit program going in the area. In other words, we had a number of points upon which it seemed to me there was clear agreement.

There was clear agreement until we put it on paper and stuck it in front of everybody's nose and said, "How would you like to vote for a committee report which says that this Legislature ought to do these things?" Then I watched with some sadness as both Liberals and Tories spat in the faces of those workers and decided that although sympathy was appropriate, no further action was.

I am pleased to see that there is some turnaround in the position of the Liberal Party. Although it might be a little bit late, I welcome that. I am a little unhappy that it has taken the government of Ontario more than four months to put together its act in this regard and that in fact it still does not have a response to that, but I understand that one will be forthcoming shortly.

It has not been a pleasant summer in the riding of Oshawa. Some of my favourite people, friends, people I have had a long relationship with, worked at that plant called Houdaille Industries of Canada Limited. Most people had never heard of Houdaille, but if you live in Oshawa you know it well. The average seniority of the people who were occupying that plant was 29 years. Most of them had been there before Houdaille. It is almost a classic example of how screwed up government in Canada really is.

This time last year there were more than 700 people working in that bumper facility. They had, in fact, used every tax incentive, every tax write-off, the governments could devise to re-equip the plant. It had some production problems but they were getting them sorted out. There is about \$12 million worth of brand new production machinery sitting idle inside that plant. It was taken over by a corporation called KKR, which is located somewhere between New York City and Fort Lauderdale, Florida—nobody can quite determine exactly where.

On December 14 of last year the Federal Investment Review Agency accepted

KKR's evidence that they were going to continue that plant in operation, that they had new techniques which no one else in North America had and that it was a safe thing for FIRA to approve; they did that on December 14. On December 15, KKR put up its first notice of layoffs. One day after FIRA approved the takeover of that plant they were posting layoff notices. It just followed and snowballed until one day in June, KKR decided that they could no longer run that plant and that they would take advantage of the looseness of the laws of Ontario and shut it down.

As some people have said before me in this debate, when one looks through the labour laws in Ontario and tries to find severance pay, it ain't there. There is no word of it. It isn't covered in any of the legislation here. In fact, when a company like KKR decides to close down a plant like Houdaille, employees are on their own. If workers belong to a good strong union they may be able to negotiate themselves some severance pay, but it ain't necessarily so.

The workers in that plant are a little politically astute and they are a determined group. They decided among themselves that something had to be done. It was obvious the government of Ontario was not going to do a damn thing on their behalf. In fact, all the way through that dispute there was not a word uttered by the Minister of Labour, not a word.

**Hon. Mr. Elgie:** No, just actions.

**Mr. Breagh:** I could list for him in very short order the actions taken by the minister in regard to the Houdaille workers; not a thing. I am aware that his staff arranged some meetings and I am aware how those meetings came about as well.

That is pretty rough justice, when people are left to their own devices. That is a pretty rotten way to run a government. It is a pretty rotten situation for people to be in.

The decisions that are being made now and the kind of lives that are being destroyed by that kind of a layoff are happening around kitchen tables in Oshawa, Windsor, Brampton and all over this province. It is a national disgrace what is going on in this province. It is a nauseating thought that, with all of its civil servants, this government can't prepare its response to the obvious needs of those workers in time for the opening of this Legislature.

I guess the upshot of the Houdaille incident is, as the minister said in his remarks, there are some things which will become

symbolic. I am sure that as historians write the history of labour in Canada they will look at Houdaille as a landmark. I think the tragedy is rather wrapped up in an unfortunately neat package.

About two weeks ago this same company, which said it couldn't continue in operation at Houdaille in Oshawa, which maintained throughout the month of August that it could not afford—get this—couldn't afford to give its workers decent severance pay; that it couldn't afford to accept early pensions for those people, that it in fact had done all it could do for its workers in Oshawa, this same corporation, KKR, came up with \$975 million to reinvest in the United States. I think that pretty much puts the lie to any arguments that might have been made at the time that the company didn't have the financial capability to provide decent severance pay and a decent package for those people who had invested 29 years or more of their life in that one production facility.

I wish that Houdaille were a unique example in Ontario. Unfortunately, it is not. It is being repeated in almost every community as the ripple effect goes through our economy.

Yesterday morning I watched once again a film called Shutdown, labelling and chronicling what happened to the workers at Presto-lite in Sarnia. It is a sad film, and the unfortunate thing is that we could make that film about almost any community in this province today. This government has to respond to the needs of these workers.

I understand their reluctance to abandon their corporate friends and do something for the workers for a change, but I put to the minister that this government must respond, that these people have no easy solutions, that they require legislation which will protect them and what that legislation should be is very widely known in all parties now. I await the statements and the legislative changes which the Minister of Labour proposes.

**Hon. F. S. Miller:** Mr. Speaker, I am glad that we have the opportunity to discuss this matter today, because it is obviously a very important one and one that takes a great deal of cabinet's time and concern. In fact, we have often said there is no monopoly of concern in either of the parties over there; the concern for workers in Ontario is very much shared by the government of Ontario and by the cabinet.

My colleagues, the Minister of Industry and Tourism, myself, and the Minister of Labour and others in cabinet, have spent a good deal of time and effort during the summer on this problem.



As Treasurer, and particularly as Minister of Economics, I do feel very strongly the responsibility for guiding Ontario's economic progress. It is progress. I get a little tired of the criticisms from across the floor always saying that because someone else in Canada is getting richer we must be getting poorer.

I look out to the west where, in fact, unemployment isn't a problem. If anything, overemployment is a problem out west while we invest in our major oil resources. But thank goodness those resources are in this country and thank goodness this province is to share in the development of those resources, because at least the money we are talking about recycling is our own. It is in our country. The chance to have jobs in this country is very real as those projects go forward.

4:40 p.m.

I gave a speech last week—I hope some of the members had a chance to look at it—where I said that one of our major opportunities for jobs now, and for an economic security that depends upon energy of reasonable cost but certain availability, is highly dependent upon making sure we resolve some of the federal-provincial arguments about the revenue-sharing that flows from oil resources, because when those are resolved we will see those projects go forward in Alberta.

Look at Stelco at this moment. Stelco could produce more steel, and it is one of the most efficient steel industries in the world, not just in North America. It is invading other markets. It is a tribute to Canadian technology and Canadian investment. The member likes to point out all the bad things in our Canadian economy, but Stelco and Dofasco and Algoma Steel are three of the bright lights in our Canadian economy. I hope you would agree with me.

What happens here, though, is that for two or three or four years they can project that they can make more steel, but they could easily supply the steel for some of those big megaprojects out west like Alsands, like Cold Lake. If those are delayed through the federal-provincial disputes, the chances are all too high we will have unemployment and overdemand in the mid-1980s, forcing importation of steel of all things into Canada to supply those major projects. I would argue all of us in this House have a duty and an obligation to see that we impress upon not only our federal colleagues but upon other provinces that there are some Canadian economic problems

that can be resolved if they will settle their disputes.

Sure, we are currently undergoing a recession. We certainly are seeing closures. I am sure my colleague the Minister of Industry and Tourism will deal with some of the figures in a while.

I was down in Washington a week ago tomorrow. The first piece of news I heard on the radio, I am glad to say, was that the recession is over down there. I followed that up by some confidential reports I got that showed some very real growth. The member is shaking his head to say no. I can tell him that I have seen some very interesting analyses prepared of the United States saying the last couple of months they have had a surprising rebound.

Last month, for example, we had the biggest month surplus in foreign trade for some time, over \$1 billion, partly due to our recession, but partly due to the fact that we continue to export. The American economy, I believe, is coming up, not as fast perhaps as I would like, and is still riddled with inflation, but the fact remains it is on the way and that can only signal that the cyclical problems we are facing today are going to be resolved. Therefore, I would say that while we have a few very difficult months ahead of us they are getting better. Why did Mr. Weeks go out in the paper this week in Windsor and say that he was pleased to see new employment coming on stream in that area? Why do we see in the city of Oshawa, I believe it is, that GM has pretty well recalled the workers who were out? I look at the action we have taken in Ontario, and I am proud of it. I look at the pulp and paper program which I believe has protected more jobs in this province than almost any action.

The Leader of the Opposition (Mr. S. Smith) is gone, but I get a little befuddled some days by his flip-flop. I go back into the House of last November 30. In question period he said something about the E. B. Eddy Company in Espanola. The Minister of Industry and Tourism said in return: "Maybe the Leader of the Opposition wouldn't have helped the company. We thought Espanola was good enough to save; he did not. I'm glad the Leader of the Opposition got it on the record that he wouldn't have helped the company." The Leader of the Opposition replied: "Absolutely right. Their record doesn't deserve it, and you know it."

I read from a letter he addressed to a group of people about that town, and this is February 15: "I should tell you, first of all, that I am totally dedicated to the continu-

ation of the operation of the Eddy plant, and I recognize fully the crucial relationship which that plant has to the town of Espanola." It is pretty tough to be criticized in this House day after day for doing something, be told it doesn't work and then hear of letters like that being sent back quietly to people in the country. They took him at face value when he said it in this House, wrote a letter complaining about it and then find he is quietly trying to be on both sides of the issue. I noticed today he had three microphones and he was trying to be in the middle of them. He was on both sides of many issues in the last year. Our colleagues over there have been keeping a track record of it as well, I am quite sure.

We did take some action in this province. We brought in the pulp and paper program and the Employment Development Fund, which has helped a good many industries. We have 30,000-odd more people at work today in spite of the recession. We are dealing with rapidly growing employment rolls as youth comes into the marketplace. My colleague the Minister of Education (Miss Stephenson) will probably be dealing with that. We brought in the small business development corporations program, which has encouraged some 85 companies to be formed, to provide equity for little businesses in Ontario that are Canadian-owned. The Tourism Redevelopment Incentive Program I believe has created a number of jobs and about \$15 million in new investment in the smaller resorts in the province. Job-skill training is being tackled with new enthusiasm.

I gave a number of suggestions to Mr. MacEachen when I was in Ottawa the other day. I suggested there were a lot of ways he could currently be stimulating the economy and jobs by getting certain megaprojects under way, by not increasing taxes in the next budget and by having some kind of short-term stimulus. We suggested when I was there a federal-provincial co-operative approach to sales tax relief such as we had in 1978 for a few months, with the provinces choosing the kinds of products to get that relief, as Quebec and Ontario did.

**Mr. Nixon:** Do you think he is going to reduce taxes?

**Hon. F. S. Miller:** I suggested to him that Ontario and the federal government had some responsibility in the short term. I am sorry he has had such a bad job of running his books that his budget deficit is 22 per cent and ours was four, and we could have taken some action and he couldn't. That is because

a Liberal regime has never learned how to balance a budget and never will learn how to balance a budget. They could learn from us if they would pay some attention.

My colleague from Oshawa mentioned Michelin. One thing we have been very careful of in Ontario, and I don't know whether Michelin is a good or bad example, is not to entice businesses from other provinces in Canada with any kind of grant. If it has happened, it has been without our knowledge. But that was one of the cases where there could have been some argument made. I would have to say that to try to tie federal money to Michelin's opening and the closure of Firestone may be a bit tenuous because I understand some 10 Firestone plants changed for basic company reasons, not because of federal money reasons.

I would like to end by reading something on severance pay. I would suggest we are looking at that as we are at many items. Mr. Speaker, let me quote a pretty good authority, Mr. Douglas Fraser, who said, "Although severance pay has been an issue in recent plant closings in Ontario, it is no substitute for jobs or correcting the problem," with which I agree. He said, "It would be difficult to make severance pay a high-priority item in collective bargaining because it would mean taking money from other areas for a situation that might not materialize."

I agree that creating the jobs is by far the best way to solve the problem. One avenue is to create the atmosphere for investment. In Ontario this year we have agreed that we have the highest year-over-year investment in capital works we have seen for some time. That has been one of the bright lights in the economy this year. It augurs well for the future because where capital investment is being made in new plant, as the cycles turn up we will see the jobs created.

**Mr. Nixon:** Mr. Speaker, the Treasurer in his comments about the cyclical nature of our present economic difficulties is giving away his solution to the matter, and that is to sit back with his head under his arm and wait until things correct themselves. I feel the programs put forward by the government have been ineffectual and I want to say something in the time at my disposal about the situation facing the employees in the farm implement industry in Brantford and in Toronto. Certainly the government's programs have been no help to them as yet.

I did feel the Minister of Industry and Tourism's answers to the questions earlier today were helpful. He indicated their review



shows that White Farm Equipment will survive the present receivership and come back with the same jobs or perhaps more jobs in the area, with some management changes. He sounds, however, less hopeful about the Massey-Ferguson situation and I want to deal with this just briefly.

4:50 p.m.

In Brantford alone, there are 3,500 to 4,000 jobs directly dependent upon Massey's operation and indirectly at least 7,000 additional jobs. There has been a layoff there of the Massey and White workers. It has gone on for almost two months now and is expected to go on for another month, with no real definite undertaking of a return to work. There is a clear indication that Massey may go into receivership or even bankruptcy if it cannot meet the tests imposed by its creditors on a worldwide basis at the end of this month.

The thing that concerns me as much as anything else about the long-term prospects for Massey is that the farmers, who essentially are the customers for the firm, are losing confidence that the company will be in a position to service the machines that the farmers themselves might even be thinking of buying now. I went to the International Ploughing Match last week and found Massey well represented with a good line of implements and salesmen with initiative and, I thought, lots of pep. But the farmers are looking at it, thinking "Is this company going to be around next year to service the tractors and combines we might buy?"

This crisis of confidence is becoming more and more serious as the ministers delay in taking some sort of a positive position vis-à-vis the financing and the financing package of Massey. I did feel that the Minister of Industry and Tourism, who is not in his place right now, was reasonably positive in his answer this afternoon, more so that his statements would indicate at his press conference last week. As I understood his comments, he felt that in some form Massey would be continuing with the jobs in Brantford. If there is a corporate reorganization and shake-up, that's fine.

As a matter of fact, I think the company's basic problem for some years has been the corporate management. Massey has been referred to as the jewel in Canada's industrial crown for a good long time. The original family firm is well known, but the development of its lines of equipment has

been good until recently or at least until the last five years.

I believe it was Argus Corporation's intrusion into the firm which really got it into trouble in the first instance. E. P. Taylor borrowed money to buy his Massey stock, took over control of Massey, forced it to raise its dividends, which should have gone into development and expansion, so that the dividends went back to Argus to pay the bank loan. In other words, Massey-Ferguson had the pleasure of paying for the takeover from Mr. Taylor through Argus. He is a very effective financier. He is sitting down in Nassau somewhere now, I suppose, just vaguely interested in this, having passed on his responsibility to Conrad Black.

I do not understand the machinations of the gift of Argus's stock in Massey to the two pension funds, but from my unsophisticated point of view it looks like a very good thing indeed. If I were in government, as I hope to be some time in the near future, I would be very reluctant indeed either to give money or grant any kind of a guarantee to a company which would then simply pass on that profit to a firm like Argus, run by Mr. Conrad Black. I have nothing against him personally. As a matter of fact, I think his book on Duplessis was one of the better ones written but, as a financier, I think some of his statements made over the last six weeks have been outrageous. For him to say, "I don't care where they get the money; they can get it from the Ayatollah for all I care," is an indication perhaps of his ability in this connection.

Argus has written down the value of its stock in Massey to zero. As he indicated clearly, and he was quoted in the Brantford press and in Maclean's magazine, "Argus will lose nothing, and if the government comes in we stand to make a lot of money." If that wouldn't scare away any kind of a cabinet minister, like Messrs. Gray and Grossman, I don't know what would. The fact that they gave their stock away, in my view, would open the way to the government to participate in some effective way. The Minister of Industry and Tourism today is still saying that they are perusing their carefully researched document about the prospects of Massey. Massey, in expanding worldwide, has been borrowing money, wherever it could grab it, by the handful.

The debt it owes in the Argentine is paying interest at a rate of 144 per cent. Its debts in Brazil pay an interest rate of 60 per cent, and inflation is out of sight there. I suppose one has to pay 100 per cent to

even stay in the same place. That is the sort of debt that the company on a worldwide basis has saddled itself with. Its short-term debt of just under \$1 billion pays an average of 24 per cent.

So we have to be careful if we are going to move into some sort of assistance to Massey-Ferguson that we are not using public funds to pay the costs of that sort of ridiculous mismanagement in the past. Their expansion on a worldwide basis has been a disaster, but it still is a Canadian company which can be saved and which should be saved. There are the jobs in Toronto and Brantford and right across Canada through their dealerships, which are worthy of our concern and our consideration.

Now Argus has withdrawn, but there have been some comments from Black that if there is a refinancing package he would hope that his holding company will involve itself. I would think that morally they should. Mr. Black, according to everything I could read about him, is a proud person, and I would think he would like to recoup this situation and go on to see Massey-Ferguson take its worldwide position that it has enjoyed in the past.

They have had some bad luck, of course. The governments of Canada and the United States entered into a ridiculous embargo so that our farmers could not sell our grain crops to the Soviet Union. We were certainly punishing them for invading Afghanistan by doing this. I thought it was a ridiculous situation, however, to punish them by making our own farmers suffer. It meant the farmers did not have any capital or any cash flow in order to replace their implements, and other farm machinery companies were in the same pinch. The other companies had sufficient depth in financing to survive this.

I suppose I am hopeful, as the Treasurer is, but in this instance in the farm community I may be as knowledgeable as he is. Farm incomes are coming back and I believe the farmers are going to have money to spend on implements in the next year. I hope Massey-Ferguson is going to be there in order to make the implements and to serve this market.

I really felt the management has been atrocious, and I think this is reflected in the attitude of the work force. There have been many indications that the confidence of the work force in the company has been eroded. The president, Mr. Rice, wrote to all the members of the Legislature and Parliament—I would expect all the members got his letter—giving us information about his com-

pany, but he also wrote to his employees asking them to contact the local members particularly, and urge them to take some sort of an active role.

It is interesting to note that quite a number of the employees of Massey-Ferguson who contacted me, said "I do not think they should get a penny." They said their corporate decisions have been so bad and their day-to-day administration of the manufacturing facilities has been so bad and wasteful, that "as a taxpayer I do not think they should get a dime."

I called up several of these people in answer to the comments they made—some of them came to me personally—and discussed it with them. I indicated, of course, that if that company closes, they would not have a job and we discussed it on that basis. But bad corporate management has led, in many respects, to a bad attitude on the part of the employees.

I think that we, as a Legislature and the Minister of Industry and Tourism particularly, cannot sit back and wait for them to come forward with a package and say: "How does this suit you? If this does not suit you, we will try something else." I believe the minister—and he is an able person—should involve himself, along with Mr. Gray. The two of them are obviously in close consultation in this and seem to be much more agreeable than they were in that Chrysler business. The two of them can really work wonders for this industry.

I know my time is just about up, Mr. Speaker, but I would say this: the Canadian Imperial Bank of Commerce has loaned them \$300 million, and they certainly do not want to see that company fall over in bankruptcy. Conrad Black somehow has written down the value of his stock, so he is not under the same pressure. But I would hope that the refinance package will use the undoubted financial clout of the Canadian Imperial Bank of Commerce that had huge corporate profits in the last little while. They are going to have to extend their loans and make them bigger. I hope Argus involves itself at least to the extent of \$100-\$150 million.

I hope we can persuade other investors, Canadian investors particularly, to take part, and that it may well be that the federal and provincial governments will be in a position to at least guarantee the financial package up to a level of between \$500 million and \$600 million. We are told by the experts this is a minimum. I am glad to have had a chance to put these views before you, Mr. Speaker.

5 p.m.



**Mr. Cooke:** Mr. Speaker, it is a pleasure to join this debate. However, I find it rather incredible that in a province like Ontario, on our first day back, we should have to debate an issue of plant closures, layoffs and unemployment. This province is supposed to be the province of opportunity, the centre of the manufacturing industry in this country, and yet we have an unemployment rate of over 300,000 people, we have plant shut-downs which we read about in the paper every day, and this government refuses to act to protect those workers.

It is amazing that when I read the Metro Toronto social planning council report back in July 1980 it indicated that of the 337,000 people unemployed in Ontario at that time, over half, 167,000 people, were unemployed because they had lost their jobs. That is about 50 per cent and compares with 38 per cent in 1975, 39 per cent in 1976, 45 per cent in 1977, 42 per cent in 1978 and 43 per cent in 1979. It has been getting progressively worse.

No longer can this government blame women and call them secondary wage earners or blame our young people and say there are too many of them coming into the work force. The fact of the matter is that we have high unemployment in this province because we are not creating the jobs and we are losing jobs through unemployment, a poor economy and plant closures, as a result, primarily, I believe, of the foreign control of the industry in this province.

We have people all across this province who have invested their lives and their money, they have bought homes and raised families, and they find one day when they go into work that the headquarters of their company, whether it be in Detroit, Chicago, New York or one of the other financial centres in the United States, has made a decision to close their plant. In many instances these plants that are being closed are profitable plants but the parent corporation has absolutely no regard for the local community or the workers who have invested their lives to make a profit for that company.

Companies do not have to justify in any way, shape or form why they are closing their plants. Since I have been elected, I have seen it happen several times in Windsor. We had the Chrysler truck plant closed in 1978, a plant that was profitable. When we heard rumours that the plant was going to close there were denials from the company. We raised the matter in the Legislature with the then Minister of Labour, who is now Minister of Education and Minister of Col-

leges and Universities. She said: "Do not pay any attention to the rumours; they are not true. Chrysler Corporation assures us those jobs are there." The next thing we knew there was an announcement the plant was closed. There was no statement in this House by the minister trying to justify it with information that the government would look at the books of that company and find out why that plant was closing—not even an attempt; simply an explanation by the minister that that is part of free enterprise.

We heard the same thing with the Ford casting plant. There were rumours that there was a study being done by the corporation and eventually we would hear what the future of that plant was, but we should not worry because that plant was profitable and most likely the workers would be safe. The minister got up in the House during questions and said, "Yes, a feasibility study is going on but profits are being made at that particular plant and we are not too worried about it." The next thing we knew there was an announcement, not that the plant was being closed, the new terminology at that plant was that it was going to be mothballed. Again, I think 1,000 workers or more were put out of work at that plant.

The government seems to be satisfied with the present status where they are kept in the dark and they are constantly reacting to crises. They are constantly reacting instead of coming up with positive plans on how to create employment in this province. The Chrysler engine plant is another good example. We have raised these matters in the House before and we will raise them again and again until we get the Minister of Labour, the Premier and the Minister of Industry and Tourism to act.

It was in May 1979, not that long ago, that questions were asked in the Legislature of the Minister of Industry and Tourism and he stated the following: "V-8 engines are used in popular vans"—popular vans, no one buys them—"and trucks as well as larger passenger cars. Therefore V-8 engines are believed to have a good future as evidenced by Chrysler's large investment in the Windsor plant in 1978." He bought the Chrysler line and he told us about it in the Legislature. He obviously didn't bother to question it and it wasn't too long after that the plant was closed and several hundred workers—750 to be exact—were put out of work.

Earlier today, I heard the Minister of Labour say that he thought the opposition parties were exaggerating the situation, and that things aren't as bad in Ontario as we

seem to think they are. I invite the Minister of Labour to come down to my constituency office on a Saturday when I have people come into my office, young people, married men and women who have lost their jobs and are facing the losing of their homes. They come into my office and ask if I can help them get a job. I suggest to the government and to the other members of the Legislature that they consider what that must do to an individual, where he or she is so desperate they feel they should go to a member of the provincial Parliament and ask if there are any strings that can be pulled or if I have any friends who can give them a job, because they are facing disaster.

I think the real tragedy in all of this isn't the statistics of the deficits, isn't the statistics on unemployment, obviously, the real tragedy is the families who are affected and the individuals in this province who are affected and what it does to their sense of self-worth and their dignity.

Bendix was another example, the most recent one in Windsor. The workers went to work on a Friday morning, they were called into a meeting at 10:30 a.m. and were told that 500 of them in the office and the plant were losing their jobs, effective immediately, and that the company would have to compensate them for it under the law. That was at 10:30 in the morning when they said, "Go home, your job is finished, have a nice weekend."

The company went into negotiations with the union and eventually the union did win. After some lengthy bargaining there were some better provisions for those workers, but none the less their jobs were lost and the prospect of future jobs in Windsor, or in anywhere in Ontario but specifically Windsor, are not particularly bright. Bendix was profitable, but one wonders whether or not the Bendix closure had something to do with the asbestos problem that company was having and the number of workmen's compensation cases and the number of investigations that were taking place before the Workmen's Compensation Board. Bendix didn't have to justify their closure. They simply closed the doors and 500 families were affected overnight.

There is a problem right now in my home town. I invite anyone to come to Windsor and look at it. I live in a working class area in Windsor and most of my neighbours are auto workers or truck drivers or other people like that. In my block alone there are five homes up for sale and that is a typical situation. We set up the mayor's unemployment

committee in Windsor which did a study that was released this summer. They got a fair amount of publicity in the Globe and Mail and the other Toronto papers, which I was glad to see because it forces the cabinet ministers to read something about what is going on in that end of the province.

That report suggested that in many families, the breadwinner in the family was leaving the family back in Windsor and travelling west to Alberta to look for work then sending home the pay cheque in order to keep the family going. I don't think that is any way for people to live. We can talk about worker mobility and we can say, "Why doesn't the whole family move out west?" but then we run into the problem with pensions.

Earlier we heard the Treasurer talk about the new opportunities that are arising in Windsor and we have heard some of the statements our mayor has made. I suggest to the Treasurer, and I guess I would suggest it to our mayor, that it is not quite that easy to go from Chrysler to General Motors when GM has a policy that if you want to get one of the 2,000 jobs available with them you have to show a quit slip from where you were working. I don't think that is fair. It certainly doesn't make it very easy for the workers to change from one corporation to another.

There was a rumour at the beginning of the summer that there were a few jobs—when I say a few, I understand it was something like 50 or 60 jobs—available at General Motors. It was just a rumour at that time, but 400 people showed up in front of the Manpower office in order to apply for those jobs.

5:10 p.m.

**The Acting Speaker (Mr. MacBeth):** The honourable member's time has expired.

**Mr. Cooke:** Thank you, Mr. Speaker. If I could just conclude with one sentence, I would say it is unfortunate that today we are talking about having to talk about worker protection and portable pensions. What we should really be talking about, and what this government has to address, is creating an economy in this province that has jobs and full employment. I think our legislative package addresses that, unlike that of the federal Minister of Industry, Trade and Commerce and the provincial Minister of Industry and Tourism.

**Hon. Miss Stephenson:** Mr. Speaker, I am privileged to participate, albeit briefly, in this discussion of the current economic con-



dition, which has resulted in a number of layoffs and shutdowns in plants in Ontario.

I could not agree more with the previous speaker that the solutions to the problems facing us today are the solutions that relate specifically to a turnaround in the economy and an improvement in industrial expenditure and investment, and that provide the greatest possible protection for the worker. A growing economy, with new plants, new developmental industry, certainly provides more opportunity for workers, and obviously provides more industrial capability in terms of providing jobs for workers who are currently either under-employed or unemployed.

But one of the most important factors, it seems to me, that relates to either maintaining or improving industrial capacity and capability is the maintenance and development of a more highly skilled work force than we have totally at the present time.

(Because of our concern in this area, following the Skills for Jobs conference in 1978, we have begun a number of initiatives that relate specifically to attempting to provide workers in Ontario with greater skills in order that they may meet the requirements of industry, in order that that industry might be productive and in order that that industry will in fact survive the downturns in the economy, as many of our industries are doing.)

We have had some considerable success in a number of areas. We have looked very specifically at the number of young people in our province who were seriously considering the possibility of skills training, particularly in industry, and discovered that the number was not particularly great in the past. We established a linkage program which in the first year had 8,600 young people involved in secondary school programs in 50 schools and this year, with 59 school boards and 199 schools, has 25,000 young people participating in linkage programs, two thirds of them in skilled trades specifically related to industry. Almost 18,000 of these young people are in the trades that will be of specific value to maintenance and improvement of our industrial capability in Ontario.

We have been moving as diligently as we can in apprenticeships over the last few years, and numbers of apprenticeships, particularly in industry, have increased dramatically. We have twice as many apprenticeships this year as we had four years ago, and the rapid increase has been in the entire industrial area. There have been modifications of apprenticeships in terms of the ratios required, in terms of the length of time, in

terms of the form and structure, and we're still working on a number of those in order to try to encourage more people who are either underemployed or unemployed to consider seriously active involvement in apprenticeship programs.

In addition to that, employer-sponsored training has been of real benefit, I think, to industry in this province, and certainly will, I think, entice those in the work force who are either unskilled, semi-skilled or only slightly skilled to consider seriously the possibility of improving their skills training.

As a result of 23 letters of intent, we will have, very shortly, 3,450 very highly skilled employees in the metal cutting industry in this province, and that is an encouragement to those who are considering investment in this province in the development of new plants related to metal cutting and machining.

One of the most important activities in which we have been involved is one that has been entirely sponsored by the government of Ontario—the community industrial training council. We have 52 of these in the province right now in communities scattered from Windsor to Cornwall and from Toronto to Thunder Bay.

They are active committees involving representatives of various sectors within the community: employers, trade unions, educators at the secondary level, at the community college level and at the university level, those with a specific interest in skills training, technical teachers, co-operative education teachers, people who have a very active interest and a capacity to deal with the matter of providing training in order to improve the skills of those who are working within our industries.

Originally, those committees were dedicated to the concept of encouraging adolescents, people in school, to become concerned about skills training as a career choice as a reasonable option for the remainder of their lifetime. Certainly, they were very specifically, originally interested especially in employer-sponsored training programs and the improvement of other forms of training within industry.

However, in the last several months, several of these community industrial training councils have become actively involved in the business of devising, on the basis of local need and local responsibility, and locally available facilities, upgrading skills training programs or retraining programs specifically for laid-off workers.

In both Brantford and Windsor we have examples right now of community industrial

training councils who have taken this problem unto themselves with the guidance and assistance of the colleges branch of the Ministry of Colleges and Universities. In Brantford, they have established a program that is functioning right now on behalf of a large number of workers laid off from White, to provide them with skills training of a very significant type which will, in fact, encourage their employment outside of their usual employment area in the industrial field. A proposal in Windsor, which looks most optimistic at this point, involves a number of United Auto Workers laid-off auto workers in terms of really developing some highly skilled journeymen out of a group of people who are only semi-skilled at this time.

There are a number of other communities already involved in this kind of activity as well and with the co-operation of their community colleges, local industries that are functioning and those concerned individuals in the community, they are developing plans and programs that are direct assistance in helping laid-off workers to find an alternative to unemployment, an alternative that provides them not just with occupation but with the prospect of better occupation in the future, an increase in the feeling of self-worth and an increase in the feeling of full participation within society.

I am very proud that we have been able to develop this capacity within several communities in Ontario and we are working diligently at this time to encourage other CITCs to become similarly involved. One of the important functions that relates to my ministry in terms of assistance to laid-off workers has been the career action centres that we have established, primarily in south-western Ontario fortunately, because it is in those areas that the number of layoffs has been, I think, on the whole highest.

The career action centres, of course, are one-stop centres that provide examination, assessment and counselling with encouragement to return to training programs or assistance in looking at possible employment opportunities for those people who, without any impediment, may walk into that storefront centre which, because it doesn't look like an educational institution, provides no inhibiting kinds of academic impediments for those who would be concerned about that kind of factor in seeking assistance.

At the present time we have a number of other plans that I am sure will be announced in the not-too-distant future which will demonstrate the complete involvement of those ministries responsible for educational and

training activities in the province in providing assistance to the young people and those who are laid off within the province, in order that we may overcome one of the difficulties we have had, and one that has perhaps provided us with less than total resistance to some of the problems of layoff that we have been experiencing in the last several months, which is, an insufficient number of highly skilled individuals or appropriately skilled individuals to meet the requirements of those investors and those industries that would like to expand their capacity within Ontario.

5:20 p.m.

It is, as the Treasurer and others have said, the responsibility of the government to provide a climate in which investment and expansion of industry are encouraged. I am very proud that the government of Ontario has been working on that kind of philosophy, with specific programs in the past several years that do inspire confidence in terms of the future of this province.

Mr. B. Newman: Mr. Speaker, I rise to take part in this matter of urgent public importance and to emphasize once again to the members of this Legislature that the situation is extremely grave and extremely serious. It demands more than just promises of a better future, of things to come in the not-too-distant future. There are ways and means of resolving temporarily the problem of the unemployed in many of the municipalities.

I come from a municipality that, as has been mentioned by a previous speaker, has been harder hit than any other municipality in Ontario. Imagine having 17 per cent unemployment in a community. Imagine the social effects of that on children, parents, friends, relatives and neighbours. Imagine finding that no matter where one applies for employment the opportunity of getting employment is very minimal. One can go into every plant one could possibly think of looking for work. In fact, some of the plants already have signs on the building or in the window saying, "No more applicants accepted." They do not have the jobs.

That is as a result, I would think, partly of a lack of forethought and foresight on the part of the auto manufacturers in sticking to the large-size cars rather than the seeing the writing on the wall and manufacturing the smaller cars, the economy, gas-saving type of car as opposed to what is sometimes referred to as the gas guzzler. I



am not saying that all cars were of that type.

No city in Ontario has a higher incidence of unemployment that does the city from which I come. Over 22,000 people are at present unemployed or not too long ago were unemployed. Imagine approximately one out of five in a community not having the money with which to buy the bare essentials. One can say they qualify for unemployment insurance. The situation is so serious that there are many who have already run out of their unemployment insurance, while the transitional assistance benefits that were provided in the earlier years have not materialized at present. As a result, these people find themselves in desperate straits. Many have left the province and have gone to the western provinces hoping to seek their fortune or find some type of employment so that they can once again reunite their families in the west and be taxpayers rather than those who depend on the taxes of others to support them.

As a result of this mass unemployment, the social effects are really dreadful. The number of family breakups has risen substantially as has the number of individuals who are coming into constituency offices. They will come in, ask, beg and practically get on their knees asking one as a member to attempt to find them some type of employment. Where are they going to get employment anywhere in the city of Windsor unless they have some super-skill that is in great need?

At the present moment, or in the not-too-distant future, General Motors will be employing 2,000 men, but they expect to receive 20,000 applications for the 2,000 jobs. So one out of 10 people who will file applications stands a chance of getting employment.

Chrysler has now started with its K cars, and we hope in the community that this vehicle catches on, that all the members in the House buy one of these vehicles so at least they will provide a bit of employment to the residents in the city of Windsor as well as in other parts of Ontario that provide certain component parts in the manufacture of that vehicle.

The Minister of Education did mention certain types of programs that are being developed by the ministry. The thing that disturbs me is that surely the ministry should have seen the writing on the wall and been prepared several years ago to implement some of the programs. They could have foreseen that technical educa-

tion was going to be in far greater demand than was academic education and, as a result, one would have thought our technical schools would have had substantially higher increases in enrolment because students would have been guided into that field. That would be the field in which the job opportunities would be the greater.

However, that didn't take place, and as a result we have a lot of people who have attended our secondary school system, taken academics, and all they have is a greater command of the English language but they do not have a skill that is marketable.

The minister mentioned the skills training programs. That is a forward step except that it is a little late. We should have had those in place several years ago. There are jobs that demand a substantial amount of skill, but there are no longer the skilled craftsmen in a community. No longer can we import individuals, steal these skills from Europe or other parts of the world and have them come into the manufacturing centres. They are not interested at all, and they are not interested essentially because some of the protections we would hope would be built into any scheme are not there at present.

I can recall the Bendix situation in town. It was not too many years ago they closed an old plant. They closed that old plant because of the asbestos problem, even though Bendix may deny that it was the asbestos problem that caused them to close the plant. It was an older plant, and because of that it was not feasible to put in various types of controls that would have prevented the asbestos from being dispersed throughout the plant.

But they also had a brand new plant, for which I understand some government assistance was provided. All of a sudden one Friday morning they decided they were going to close the plant. The general manager called me from South Bend and told me at 10 o'clock in the morning, "We are going to make an official notice that Bendix is going to close up its plant in the Windsor area." Imagine the shock to an individual who has given 10, 15 or even 20 years of his life in faithful performance of his duties to the company and then, without any advance notice, they close the plant completely. They will probably come back in the Windsor area under a different name, or will have another company set up there and then eventually they will take it over after they change their own corporate name.

One of the problems is the lack of portability of pensions. An individual will work at Ford—Ford has laid off, it has closed up its foundry—and he has the opportunity to go to General Motors or to Chrysler, or a Chrysler worker to the other companies, but he cannot carry his pension from one plant to another and so he is tied down to his original employer. That just is not fair. There has to be some scheme devised so that pensions can be portable and can be carried from one industry to the other.

The government says it is complicated. It is not complicated. We do that right now with unemployment insurance. A man can work for one factory and transfer his employment to another employer; he still collects unemployment insurance. If it can be done with unemployment insurance, a scheme can also be set up as far as the portability of pensions is concerned.

5:30 p.m.

Plant closings are a thing of serious concern. We must increase the period of notice a company is required to give the workers before layoffs; we must provide fair levels of severance pay for employees who are laid off; we must make pensions a right and not a privilege, and there are many other musts that we must incorporate into a contract between employees and management.

I could carry on at some length but I think my time has been used up. I would hope that government would act in the situation because it will only get worse. It will not get better unless government becomes a little more responsive to the needs of people.

**Mr. Mackenzie:** Mr. Speaker, the debate we are having here today is really a sad commentary on the actions of both our provincial and federal governments in terms of worker protection and the economy of this province and this country.

I feel the film all members of this caucus saw recently should be must viewing for those Tory and Liberal members who haven't seen it. That is Shut Down, based on the Prestolite situation in Sarnia. I couldn't help chuckle a bit as I watched the film—not at the workers; their frustration and the fear and anxiety showed on long-seniority workers—but at one of the comments made early in the film.

One of the women workers pointed out that when the new manager had come up from the United States—it was one of the multinational corporations once again—he called all the workers together and met with them. His first words were that he had heard

rumours of the possibility of shutting down this plant, but said they were not true and he wanted them all to be reassured their security was there—their future was secured. Less than a year and a half later Prestolite was shut down and once again several hundred long-service workers were out the door and down the drain in terms of the benefits they thought they had, the protection and the wages they were being paid.

All of us in this province know we have had it well, that we do have a rich province, that we have the resources—natural resources, land, people—and the expertise. We are probably the best-off nation on the face of the earth. The tragedy, as I see it, is what we have been doing with this province and this country. Essentially what we have been doing is high-grading our resources, not to the benefit of the people but to the benefit of the whole corporate structure. We had better realize it has been done to the benefit of the companies that own the branch plants that we have set up in this country.

We haven't planned well. We haven't planned for our future. We haven't developed security for our workers. We haven't developed security for the community in terms of the services that may be lost as well when a plant shuts down or moves. But we sure as blazes have provided a good living for those who control the industry and the wealth in this province and this country.

I heard the Treasurer mention steel in glowing words. He is right. It is one of the few industries still controlled by Canadians, and it is efficient. One of the things he didn't say that he maybe should have said to this House is that one of the things they have done very effectively is guaranteed the local market. They have gone after it. They have worked on it. They have made sure they are supplying it, even at the expense of some additional orders that could have had a little higher return in terms of exports. I don't know where else we have done that in our country nor in what other industry.

We have serious long-term problems in this province and those serious long-term problems are that we are turning the province into a colonial manufacturing operation, at all too rapid a pace. We are going to become hewers of wood and drawers of water if we don't sharpen up pretty damned fast.

We don't have a short-term problem where we can already see a turnaround, as I heard mentioned by both the Treasurer



and the Minister of Labour. That comment just makes me sick. We will see occasional turnarounds and they are short-term. But what we are seeing and what we have seen over a period of time is an almost escalating increase in the lack of control and ownership in our own resources and our own industry. We do not have the say. We do not do the decision-making any longer. We cannot decide what profits go out of the province. We cannot decide what companies are going to shut down and why.

The argument of financial viability we used to get—and I am not sure the minister involved has sharpened up to it even yet—is not the criterion any longer. There is a long list of companies that were making money, good profitable operations, but the decision made somewhere other than in this country was still that those plants were to be shut down. There was more money to be made by rationalizing the operation, or by setting up a larger run at some newly refurbished plant in some other country, or even by investing the money that went into that particular operation in some Third World country where they could get away with wages that were a heck of a lot less than the contracts they had, not because they were losing money—the return was still there and healthy—but because it was in the corporate interest to move that operation. The last concern was the workers involved and their communities, and we had better understand that.

That went on at Columbus McKinnon. I got a kick out of the arguments made to me, at least by the Minister of Labour, that they had gone to St. Catharines, called at the head office of the company and raised hell with them about their move, saying it was corporate irresponsibility. Indeed I saw the Deputy Premier get a headline in the *Hamilton Spectator*, "Company's Actions Irresponsible," but the bottom line was that they would give them hell. The government would not tell them they could not do it, that corporate responsibility said they had an obligation to the 270 workers who went down the tube in that particular operation. That is a company that was making money, where workers had up to 40 years seniority.

We have seen it in Westinghouse where we had the ridiculous remarks—I am not sure if they were calculated or stupid—of one of our ministers, who said, "We have got an outrageous bunch of semi-Communists." According to the reporters, we have people in his ministry saying that maybe if

we let the public know there are Communists in the union, we can undermine the contract negotiations. I think what is going on is rather sick.

We have had it in Houdaille, and we have had it in Tung-Sol. I got a kick out of the comments of the Minister of Labour when this matter was raised with him and he said, "What are you advocating?" When I said, "Why don't you do something? The workers have had to take over the plants to get some justice," his reaction was, "What are you asking for, Bob? Anarchy?" We are not asking for anarchy. We are asking for some decent legislation that gives some basic protection to workers in situations like Houdaille and Tung-Sol.

Let me tell the Treasurer, if he is concerned about the criticism he is getting and if the Minister of Labour is concerned about the actions of the workers in these two plants, they had better continue being concerned because, if that is the only out, they are going to escalate a heck of a lot more strongly than we have seen to date. I, for one, will say they are right whether it is strictly in line with our laws in this province or not.

We are seeing an increasing trade deficit in the manufacturing sector and it is part of the fact that we no longer own and control our own economy. There are any number of examples but I see the Minister of Agriculture and Food (Mr. Henderson) is here so I will give a little one that always titillated me, except that it was sad and sorrowful and I knew some of the people involved in the peninsula who used to supply some of the small canning plants. It is the question of peaches. I use it only as an example of what is happening in this province and this country.

Only 15 to 18 years ago we were canning and supplying 80 per cent of the peaches we ate in this province and this country. I understand we are down to less than 20 per cent now and most of the small plants have closed. A heck of a lot of the farmers of small tender fruit who used to be able to supply these plants have gone out of business. That makes it easier to turn that good land into industrial land. We have an additional balance of payments deficit, because we are now importing 80 per cent of the doggone peaches we eat, when we could produce every one in this province and this country.

We have example after example. They exist in the industrial area. They exist at Essex Wire. I commented recently to the Minister of Labour once again about the Houdaille and Tung-Sol situation: "Why don't we have some legislation that gives the

workers some protection?" Apart from the question as to whether I am asking for anarchy if the union goes this route, he made the comment, "Well, the problem really was that the unions hadn't negotiated adequate severance or pension benefits."

Let me ask the members to take a look at some of the plants that are closing down. I remind the minister of the Essex Wire plant and the fight we have had to get four-something an hour in there, with the kind of grants they have had. The government's priorities there could never win and it cannot throw the responsibility back on the workers that way, in regard to the kind of legislation they would have needed in terms of severance or pension coverage or even adequate notice. That is not a responsibility we can throw back at the union or at the workers.

5:40 p.m.

I know I do not have a lot of additional time. I know there have been good suggestions made in terms of adequate steps to protect workers, and I am talking about severance pay, about the additional notice, about the requirement to justify a closing of a plant, because they do have a corporate responsibility, or at least should have, in this country and in this province.

But probably even more, what we have to come to grips with, and we had better do it pretty darned fast, is the whole question of whether or not we are going to have the say to run our own province, whether or not we are going to have the say as to whether we are going to develop the secondary manufacturing, whether we are going to allow the control to continue to go out of this province and this country, the economic control or the control of our manufacturing industries, and, therefore, take away from us any ability to react and deal with it.

We do have a long-term problem as well as a short-term problem, but we had better come to grips with the ownership and control of our resources in this province, we had better do it fast or we are not going to be able to do any of the things that are necessary to protect the basic investment of workers in the community.

Hon. Mr. Grossman: Mr. Speaker, it is obviously a difficult problem for government when it finds that its major customers for its major industries are having a very difficult time, and that the sales for the industries that form the heartland and the core of our industrial base are suffering badly.

We have been trying over the summer, as I worked with my colleagues, the Treasurer and the Minister of Labour, to find ways in

which we can deal with the workers who have been so dramatically and badly affected by these problems, to find ways to solve those problems, while at the same time not destroying the economic opportunities which really this province still has.

In doing so, I do not want to let the remarks of the previous speaker go unchallenged. He may have, and has, drawn whatever inaccurate conclusions he wishes to from the remarks that I made last week, but I say to him quite directly that no one in my ministry made any further remarks such as he has indicated. The member should indicate who in my ministry he alleges said that, or, with respect, he should not make that kind of accusation.

The topic of today's discussion is how we come to grips with balancing our labour laws and our industrial laws so that we end up with an industrial strategy that works for everyone. There is absolutely no question but that it is not constructive to the discussion or the economic future of this province to have the leader of the third party suggest there are 138,000 people laid off and jobs lost in this province. The figures simply do not support that.

The fact is that the unemployment rate in this province, while it is higher than it was a year ago, is 0.5 percentage points higher than it was a year ago and is substantially less than it is in any industrialized state south of the border. In fact, it is substantially lower in this province than it is even in the sunbelt states which are currently providing most of our intense competition for industrial development at the present time. Any analysis of the American figures will show that we are still doing relatively better than our industrialized neighbours to the south.

At the present time, in the current calendar year, there has been a loss of about one million jobs in manufacturing in the United States. This is not to minimize our problems, but simply to say that the major problem we are facing is a market problem, which those in the host country of many of the multinational corporations are also finding it difficult to cope with. In fact, we are doing relatively better in terms of layoffs and in terms of plant closures than our neighbours to the south. There are many reasons for that, but the fact is that in order to keep our problems and our responses to those problems in some perspective one must look at the key problem here, which remains markets.

It is important when we develop our responses, as we have been trying to do all



summer, to avoid the temptation—and it is a high political temptation—to try to excerpt certain pieces from the labour laws in other jurisdictions, as the Minister of Labour pointed out earlier.

I would point out to the members of the House that when they talk about the situation in Europe they neglect to mention that in West Germany, to take one example, they have no minimum wage. When we are talking about the entire structure of industry there, the entire industrial strategy and the series of labour laws they have there, we have to do that in the context of the lack of a minimum wage policy and the presence of a large migrant labour force in Europe that is essentially outside the labour laws we perceive here as being so generous.

The leader of the third party has referred to the problem with Mexico's attracting many of our jobs. One of the reasons Mexico is attracting some industries that formerly came here is that Mexican wages are running at about 75 cents an hour. That is a very important factor because labour, obviously, is an important component of the total cost of putting out goods.

Our problem in this province is to stay where we are currently positioned, which is, as the UAW acknowledged when they were in to see us and which surely the members of this House must acknowledge, that we now have, taken as a whole, the most comprehensive and sensitive set of labour laws in North America and want to maintain our leading position in that area.

**Mr. Warner:** Baloney! Anti-labour laws.

**Hon. Mr. Grossman:** I invite the members of the third party to challenge that statement. This government has every reason to be proud of the fact that we lead North America in labour legislation. We have been able to do that and, at the same time, keep a very strong manufacturing sector. To have done that and remain in a position where we have more than 50 per cent of Canada's manufacturing and where our manufacturing sector has experienced relatively fewer layoffs and fewer plant closures than our neighbours to the south with less onerous labour legislation is really a credit to the balance we have created in this province.

I cannot complete my remarks without referring to two situations. The first is the Houdaille situation. No one on this side of the House and no one anywhere can purport to defend the incredibly inept, wrong and unfair activities of Houdaille in that situa-

tion. It is that sort of situation which creates a bad name and a bad reputation for our industrial sector and makes it as hard to attract industry to this province as some actions which other people take in the economy that are also detrimental.

The challenge for government is to try to keep the public perception of that and the need to respond to one or two or three or four very irresponsible people in the private sector without creating a situation where, by legislative overreaction to that situation, we scare away jobs for people in the future.

**Mr. Cooke:** Their response is they don't have to worry about the law.

**Hon. Mr. Grossman:** The other situation I have to refer to is the Chrysler situation. I think it is interesting to note to my friend who is interjecting from across the way that he and other members of his party were front and centre in advising this government on the terms and conditions we ought to obtain from Chrysler in the event we made a deal with Chrysler.

One of the things which was not heard of, either from the third party or the UAW at that time, was a request, a demand or whatever that in the ongoing situation six months' notice of layoff ought to be required if there were any further layoffs. No one across the way suggested that severance pay provisions ought to be changed or altered while Chrysler was asking for some assistance.

Why didn't they? I suggest the reason they did not was that they had a company in front of them which was at a very critical stage, clearly still on the brink of possible bankruptcy. There was some realization among the UAW and the NDP and everyone else that adding that critical factor to the balance might well have been the final straw which broke the camel's back. The UAW was free to make those recommendations, as were my friends across the House and as was the federal government, but in that very real situation no one was saying we should take this company in critical straits and impose upon it an extraordinary notice-of-layoff period.

5:50 p.m.

Of course, when you are dealing in a vacuum and you don't have a particular company in front of you that is faced with that particular problem, it is easy to advocate those kinds of situations. When you look at a company that is in difficult financial straits and has to find its way out,

frankly it becomes quite a different story. The challenge for government is to develop a fair and equitable response to the general situation, and we recognize it and have been spending a great deal of time in trying to work out a response without going to overkill. One has to make one's best judgement as to where that balance is struck.

Finally, Mr. Speaker, I think in terms of the plant shutdown and closure situation, we should keep one thing in mind: There are plants that on the books are closing operations, but that last calendar or fiscal year made money in themselves. Of course that is not the full story. Having made money last fiscal year, many firms find themselves with plants in the US and Canada, both of which this year, because the market has fallen badly, are operating at half capacity or one quarter capacity. I only remind all my friends opposite—

**Mr. Warner:** Here it comes, corporate apologist.

**Mr. Mackenzie:** We know which one they close.

**Hon. Mr. Grossman:** No, that is not true, I say to the member for Hamilton East.

**Mr. Speaker:** The minister's time has expired.

**Hon. Mr. Grossman:** In concluding, I would only remind my friends opposite that companies which are making changes for economic reasons not invariably, but by and large, make those changes for economic reasons, not nationalistic reasons. I cite the case of Budd Canada Inc. in Kitchener as a perfect example of a company, not typical of multinationals, but a company that rationalized to Canada, not out of Canada. A blanket statement that they always repatriate and go home is totally unfair, and should not be allowed to stand by itself.

**Mr. Van Horne:** Mr. Speaker, it is very obvious that the debate today is only the beginning of what will be a long series of debates which will all deal with labour themes in the 1980s. The member for Hamilton East said he doesn't see any turnaround in sight. I think that could be said by us too.

Headlines such as "Plant Occupiers get First Food in 36 Hours," or headlines such as "Mounting Labour Frustration Predicted," or headlines such as "Stronger Worker Protection Laws Sought" meet us daily. The issue of job security is critical to all of us in Ontario and we can't handle this in isolation. Job security is Ontario security. The phenomenon of industrial dislocation is with all of us and it is here right now. Industrial dis-

location is destroying our security as a province, and very likely as a country, unless we address it seriously.

The unemployed in Windsor affect all of us in Ontario. The unemployed in Oshawa, Brantford or wherever else in this province, affect all of us in Ontario. I don't think it is good enough for the government House leader, when considering whether we should have this debate or not to throw out some numbers about however many more thousands might be employed now. It doesn't make much sense when you can't take a look at the numbers which aren't employed right now.

I don't think it is just enough for the Minister of Labour to say he will bring in some words for us to consider or some thoughts for us to consider in a few days, or the Minister of Education to talk about skills training programs or unemployment opportunity centres, or for the Minister of Industry and Tourism to explain what he didn't say about the negotiators at Westinghouse Canada Inc.

I say to you, Mr. Speaker, and to the members of this assembly, that we must keep in mind the man or woman who have lost their jobs or who might lose their jobs. When you throw out these flip, short answers, I say, "Tell it to that man, or tell it to that lady who is going to go home and sit down and explain it to the rest of the family that there is no more job."

We've also been accused today—both parties on this side of the House—of having a sort of tunnel vision. I reply to that, hogwash. If we do have tunnel vision—and I don't believe it—it is better to have tunnel vision than no vision. That's what we're getting from the other side of this House. I would add to that, in response to the comments made by the Minister of Labour that he would have something for us in a few days, that that is not good enough, nor is it soon enough.

At the end of question period today, when private members' bills were introduced, both parties on this side of the House introduced private members' bills which indicated a determination from all of us to call the government to action. My party last Friday at a press conference also called not only for additional protection for terminated employees but also for portable pensions, of which my leader spoke earlier this afternoon. In addition, we also called for a select committee to investigate all aspects of plant closure. We believe this action is necessary now.



On the other hand, if we stop for just a moment and consider possibly the reasons for government inaction, perhaps they are reflected in comments like ones that have appeared in a few of the editorial pages of our province's newspapers. There have been comments such as "over-zealous lawmakers could in fact worsen rather than improve the troubled working environment in Ontario by deterring industrial growth."

This article talks about legislated severance pay and mandatory pensions, and it goes on to say: "It is in this area where legislation is most sensitive and potentially self-defeating, since unilateral action by Ontario could place"—underline "could"—"this province at a disadvantage in attracting industry"—in comparison, say, to Alberta or Newfoundland.

I simply don't buy that argument about what this might do for something that is down the road. If that is the argument the government is putting forward to answer for its inaction today, I would submit that it has forgotten the problem that is here with us today—that is, the problem of people who have lost, or are going to lose, their jobs. The government must take the initiative and act on this now.

As I said at the outset, this is only the beginning. We are going to hound this government into action. If they won't act, then we will have to get rid of them.

**Mr. Laughren:** Mr. Speaker, I have only a couple of comments, but I did want to say to the various ministers on the other side that we are seeing now in Ontario the chickens finally coming home to roost. This government has gone on for the last 38 years on the assumption that growth would stay there, that we would continue to grow, and that growth would itself camouflage a lot of the problems in the economy of Ontario.

Certainly that is true. Even the ministries of Industry and Tourism and the Treasury admitted in a document about two years ago that the problems in Ontario were not cyclical. They were not cyclical, the way the minister has tried to say this afternoon, but were structural—there were structural economic problems, and they were serious and something had to be done about it. All the signs were there. When we looked at the balance of payments sector by sector we could see there were problems.

My colleague from Hamilton East pointed out several of them to the Minister of Agriculture and Food this afternoon. We could look at mining machinery, electronics, electrical products, auto parts, food processing.

One can go on and on. All the signs were there, and they are still there.

But as long as the government stands back and says, "We do not believe in intervention in the free marketplace," the government deserves—the workers don't deserve it—to have the labels that are being attached to it now. The government deserves it because it simply has refused to intervene. They were so pigheaded in assuming that growth would always be with us they assumed they would not have to take any action to intervene. That is why we have the problems we have now.

**6 p.m.**

There was a matter of time, because all it took was one jolt to the system and the chickens came back home. In our case, the jolt was oil pricing—not just us but all over. Immediately that happened, the Ontario economy was in a tailspin along with other economies. We had not built in the protection, had not built the kind of economy to allow us to withstand any kind of jolt to it at all. That is why we have the problems we have now.

My colleague from Hamilton East used the term that they have squandered our resources. There is no better term for it. The government squandered them because it assumed that growth would always be with us and that would look after it. What we and others are saying is that because it has squandered them, it has an obligation to look after its victims—namely, the workers out there who gave us the amount of wealth we have and now are paying the price for its mismanagement of the economy.

They didn't make those management decisions in the economy that gave it its foreign domination; they didn't make any of those decisions. They were not allowed to. Now they are paying the price for somebody else's stupidity. That is what they are doing. Every government member sits there condemned because he would not intervene. They still won't intervene despite all the signs that are there. I don't understand it.

Adam Smith died a long time ago. Along with him went his invisible hand. Yet there sits the government, still assuming that the marketplace will look after the problem—as though we lived in a world of equals. We don't live in a world of equals, whether it is countries or people within a country. Those people who are being laid off are not equal to the people who are laying them off—not in terms of economic power they are not. They are the victims of the government's system and government members have an obligation

to look after them. If they say that will make us not competitive then that is something they are going to have to work out because they built the system that made us that way. They built that system, they condone it and they encouraged it.

**Mr. Speaker:** The member's time has expired.

**Mr. Laughren:** Thank you, Mr. Speaker.

What we are dealing with here is a highly ideological issue as to whether or not this government is going to intervene in the private sector with public sector involvement or whether or not it is going to continue to let the private sector tell it what to do.

The House adjourned at 6:03 p.m.



## APPENDIX\*

ALPHABETICAL LIST OF MEMBERS OF THE  
LEGISLATURE OF ONTARIO

(124 members)

Fourth Session of the 31st Parliament

Lieutenant Governor: Hon. John B. Aird, OC, QC

Speaker: Hon. John E. Stokes

Clerk of the House: Roderick Lewis, QC

Member	Constituency	Party
Ashe, G. ....	Durham West .....	PC
Auld, Hon. J. A. C. ....	Leeds .....	PC
Baetz, Hon. R. C. ....	Ottawa West .....	PC
Belanger, J. A. ....	Prescott and Russell .....	PC
Bennett, Hon. C. ....	Ottawa South .....	PC
Bernier, Hon. L. ....	Kenora .....	PC
Birch, Hon. M. ....	Scarborough East .....	PC
Blundy, P. ....	Sarnia .....	L
Bolan, M. ....	Nipissing .....	L
Bounsall, E. J. ....	Windsor-Sandwich .....	NDP
Bradley, J. ....	St. Catharines .....	L
Breaugh, M. ....	Oshawa .....	NDP
Breithaupt, J. R. ....	Kitchener .....	L
Brunelle, Hon. R. ....	Cochrane North .....	PC
Bryden, M. ....	Beaches-Woodbine .....	NDP
Campbell, M. ....	St. George .....	L
Cassidy, M. ....	Ottawa Centre .....	NDP
Charlton, B. ....	Hamilton Mountain .....	NDP
Conway, S. ....	Renfrew North .....	L
Cooke, D. ....	Windsor-Riverside .....	NDP
Cunningham, E. ....	Wentworth North .....	L
Cureatz, S. ....	Durham East .....	PC
Davidson, M. ....	Cambridge .....	NDP
Davis, Hon. W. G. ....	Brampton .....	PC
Davison, M. N. ....	Hamilton Centre .....	NDP
Di Santo, O. ....	Downsview .....	NDP
Drea, Hon. F. ....	Scarborough Centre .....	PC
Dukszta, J. ....	Parkdale .....	NDP
Eakins, J. ....	Victoria-Haliburton .....	L
Eaton, R. G. ....	Middlesex .....	PC
Edighoffer, H. (Deputy Speaker and Chairman) ....	Perth .....	L
Elgie, Hon. R. ....	York East .....	PC
Epp, H. ....	Waterloo North .....	L
Foulds, J. F. ....	Port Arthur .....	NDP
Gaunt, M. ....	Huron-Bruce .....	L
Germa, M. C. ....	Sudbury .....	NDP
Gigantes, E. ....	Carleton East .....	NDP
Grande, A. ....	Oakwood .....	NDP
Gregory, Hon. M. E. C. ....	Mississauga East .....	PC
Grossman, Hon. L. ....	St. Andrew-St. Patrick .....	PC
Haggerty, R. ....	Erie .....	L
Hall, R. ....	Lincoln .....	L

\*The lists in this appendix, brought up to date as necessary, are published in Hansard on the first Friday of each month and in the first and last issues of each session.

Member	Constituency	Party
Havrot, E. ....	Timiskaming .....	PC
Henderson, Hon. L. C. ....	Lambton .....	PC
Hennessy, M. ....	Fort William .....	PC
Hodgson, W. ....	York North .....	PC
Isaacs, C. ....	Wentworth .....	NDP
Johnson, J. ....	Wellington-Dufferin-Peel .....	PC
Johnston, R. F. ....	Scarborough West .....	NDP
Jones, T. ....	Mississauga North .....	PC
Kennedy, R. D. ....	Mississauga South .....	PC
Kerr, G. A. ....	Burlington South .....	PC
Kerrio, V. ....	Niagara Falls .....	L
Lane, J. ....	Algoma-Manitoulin .....	PC
Laughren, F. ....	Nickel Belt .....	NDP
Lawlor, P. D. ....	Lakeshore .....	NDP
Leluk, N. G. ....	York West .....	PC
Lupusella, A. ....	Dovercourt .....	NDP
MacBeth, J. P. (Deputy Chairman and Acting Speaker) .....	Humber .....	PC
MacDonald, D. C. ....	York South .....	NDP
Mackenzie, R. ....	Hamilton East .....	NDP
Maeck, Hon. L. ....	Parry Sound .....	PC
Makarchuk, M. ....	Brantford .....	NDP
Mancini, R. ....	Essex South .....	L
Martel, E. W. ....	Sudbury East .....	NDP
McCaffrey, B. ....	Armourdale .....	PC
McCague, Hon. G. ....	Dufferin-Simcoe .....	PC
McClellan, R. ....	Bellwoods .....	NDP
McEwen, J. E. ....	Frontenac-Addington .....	L
McGuigan, J. ....	Kent-Elgin .....	L
McKessock, R. ....	Grey .....	L
McMurtry, Hon. R. ....	Eglinton .....	PC
McNeil, R. K. ....	Elgin .....	PC
Miller, Hon. F. S. ....	Muskoka .....	PC
Miller, G. I. ....	Haldimand-Norfolk .....	L
Newman, B. ....	Windsor-Walkerville .....	L
Newman W. ....	Durham-York .....	PC
Nixon, R. F. ....	Brant-Oxford-Norfolk .....	L
Norton, Hon. K. ....	Kingston and the Islands .....	PC
O'Neil, H. ....	Quinte .....	L
Parrott, Hon. H. C. ....	Oxford .....	PC
Peterson, D. ....	London Centre .....	L
Philip, E. ....	Etobicoke .....	NDP
Pope, Hon. A. ....	Cochrane South .....	PC
Ramsay, R. H. ....	Sault Ste. Marie .....	PC
Reed, J. ....	Halton-Burlington .....	L
Reid, T. P. ....	Rainy River .....	L. LAB.
Renwick, J. A. ....	Riverdale .....	NDP
Riddell, J. ....	Huron-Middlesex .....	L
Rollins, C. T. ....	Hastings-Peterborough .....	PC
Rotenberg, D. ....	Wilson Heights .....	PC
Rowe, R. D. ....	Northumberland .....	PC
Roy, A. J. ....	Ottawa East .....	L
Ruston, R. F. ....	Essex North .....	L



Member	Constituency	Party
Samis, G. ....	Cornwall .....	NDP
Sargent, E. ....	Grey-Bruce .....	L
Scrivener, M. ....	St. David .....	PC
Smith, C. E. ....	Simcoe East .....	PC
Smith, S. ....	Hamilton West .....	L
Snow, Hon. J. W. ....	Oakville .....	PC
Stephenson, Hon. B. M. ....	York Mills .....	PC
Sterling, N. W. ....	Carleton-Grenville .....	PC
Stokes, Hon. J. E. ....	Lake Nipigon .....	NDP
Stong, A. ....	York Centre .....	L
Swart, M. ....	Welland-Thorold .....	NDP
Sweeney, J. ....	Kitchener-Wilmot .....	L
Taylor, G. ....	Simcoe Centre .....	PC
Taylor, J. A. ....	Prince Edward-Lennox .....	PC
Timbrell, Hon. D. R. ....	Don Mills .....	PC
Turner, J. ....	Peterborough .....	PC
Van Horne, R. ....	London North .....	L
Villeneuve, O. F. ....	Stormont-Dundas-Glengarry ....	PC
Walker, Hon. G. ....	London South .....	PC
Warner, D. ....	Scarborough-Ellesmere .....	NDP
Watson, A. N. ....	Chatham-Kent .....	PC
Welch, Hon. R. ....	Brock .....	PC
Wells, Hon. T. L. ....	Scarborough North .....	PC
Wildman, B. ....	Algoma .....	NDP
Williams, J. ....	Oriole .....	PC
Wiseman, Hon. D. J. ....	Lanark .....	PC
Worton, H. ....	Wellington South .....	L
Yakabuski, P. J. ....	Renfrew South .....	PC
Young, F. ....	Yorkview .....	NDP
Ziembra, E. ....	High Park-Swansea .....	NDP

## MEMBERS OF THE EXECUTIVE COUNCIL

Hon. W. G. Davis .....	Premier and President of the Council
Hon. R. Welch .....	Minister of Energy and Deputy Premier
Hon. J. A. C. Auld .....	Minister of Natural Resources
Hon. R. Brunelle .....	Provincial Secretary for Resources Development
Hon. T. L. Wells .....	Minister of Intergovernmental Affairs
Hon. L. Bernier .....	Minister of Northern Affairs
Hon. J. W. Snow .....	Minister of Transportation and Communications
Hon. M. Birch .....	Provincial Secretary for Social Development
Hon. C. Bennett .....	Minister of Housing
Hon. F. S. Miller .....	Treasurer of Ontario and Minister of Economics
Hon. D. R. Timbrell .....	Minister of Health
Hon. H. C. Parrott .....	Minister of the Environment
Hon. B. M. Stephenson .....	Minister of Education and Minister of Colleges and Universities
Hon. R. McMurtry .....	Attorney General and Solicitor General
Hon. L. C. Henderson .....	Minister of Agriculture and Food
Hon. K. C. Norton .....	Minister of Community and Social Services
Hon. F. Drea .....	Minister of Consumer and Commercial Relations
Hon. L. Grossman .....	Minister of Industry and Tourism
Hon. G. McCague .....	Chairman of Management Board of Cabinet and Chairman of Cabinet
Hon. L. Maeck .....	Minister of Revenue
Hon. R. C. Baetz .....	Minister of Culture and Recreation
Hon. D. J. Wiseman .....	Minister of Government Services
Hon. R. Elgie .....	Minister of Labour
Hon. G. Walker .....	Provincial Secretary for Justice and Minister of Correctional Services
Hon. M. E. C. Gregory .....	Minister without Portfolio
Hon. A. Pope .....	Minister without Portfolio

## PARLIAMENTARY ASSISTANTS

Ashe, G. (Durham West) .....	Assistant to the Minister of Energy
Eaton, R. G. (Middlesex) .....	Assistant to the Minister of Transportation and Communications
Hodgson, W. (York North) .....	Assistant to the Minister of Housing
Jones, T. (Mississauga North) .....	Assistant to the Provincial Secretary for Social Development
Kennedy, R. D. (Mississauga South) .....	Assistant to the Minister of Education
Lane, J. (Algoma-Manitoulin) .....	Assistant to the Minister of Northern Affairs
McCaffrey, B. (Armourdale) .....	Assistant to the Minister of Culture and Recreation
McNeil, R. K. (Elgin) .....	Assistant to the Minister of Agriculture and Food
Ramsay, R. H. (Sault Ste. Marie) .....	Assistant to the Minister of Labour
Rotenberg, D. (Wilson Heights) .....	Assistant to the Minister of Intergovernmental Affairs
Smith, G. E. (Simcoe East) .....	Assistant to the Minister of Industry and Tourism
Sterling, N. W. (Carleton-Grenville) .....	Assistant to the Attorney General
Turner, J. (Peterborough) .....	Assistant to the Minister of Health
Watson, A. N. (Chatham-Kent) .....	Assistant to the Minister of Community and Social Services
Yakabuski, P. J. (Renfrew South) .....	Assistant to the Minister of Natural Resources



## STANDING COMMITTEES

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No. 83

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, October 7, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, OCTOBER 7, 1980

The House met at 2 p.m.

Prayers.

## MONITORING OF MEMBERS' TELEPHONE CALLS

**Mr. Breaugh:** Mr. Speaker, I would like to raise with you what I consider to be a point of personal privilege.

It has come to my attention through newspaper reports and several other sources that there is some system of monitoring the members' telephones in the legislative offices here. In my own personal research, I was unable to determine the precise nature or the capability of the system that is now in place to monitor those things, but it certainly does raise a question of the relationship of those constituents of mine who want to call me as their member and those sources that I might use as a member of the opposition to find information.

In other words, there may be a record kept of all incoming telephone calls to my office, and there may well be a record kept of all outgoing calls from my office, from which it would be relatively simple for others to determine who is talking to me and with whom I am discussing matters and therefore getting information that might be used in my role as member.

In my personal research into the matter, there seem to be some conflicting opinions about the capability of the system that is now in place and whether it could be used for nefarious purposes or whether it is simply a system put in place to monitor business matters.

Sufficient questions have been raised in my own mind that I am going to ask you, Mr. Speaker, to consider this as a matter of privilege for all the members of this House and to see if you can determine precisely the nature of the monitoring system that is in place and what its potential might be in the future.

Two of the questions that disturb me somewhat in the research we have done on this so far are: The members' offices and the system that is monitoring the phone calls in the members' offices are under the control of the Ministry of Government Services, not the

Speaker; that disturbs me somewhat. The second matter is that it seems there are not clear answers, at least from my point of view as a member, that my privileges as a member are being respected, that those who wish to talk to their member of the Legislature have some measure of privacy assured them and that those sources members might use to get information are at least not being monitored.

I would ask you, Mr. Speaker, to take this matter under consideration to see if you can get some answers which I could not get and to ensure that the privileges of the members of this House are protected at all times.

**Hon. Mr. Wiseman:** Mr. Speaker, for the benefit of the members of the House, I have checked this out. The traffic data analysis on intercity network lines—this is on intercity network lines only—provides data each and every hour on the number of calls. We do not know the details of the call. We do not listen in. We do not relate the call either to the originating number or to the destination number. The only reason this is there is to determine whether we need another intercity line at a particular time because of traffic.

There has never been a time when the Ministry of Government Services or any of our staff have ever listened in on the member's calls or anyone else's calls, nor would we have it that way.

**Mr. Warner:** It records the phone numbers.

**Hon. Mr. Wiseman:** The machine won't do that, Mr. Speaker.

**Mr. Speaker:** As a result of recent innovations on services to members, including the initiation of the Inwats line, we have had our office of administration monitoring that—as a matter of fact, even facilitating that work—through the Ministry of Government Services and Bell Canada. I have been assured right through that not only was it not being done but also there was not the technical capacity to do that kind of thing.

However, in view of the fact the member for Oshawa has raised that, I am asking the Minister of Government Services to provide a written explanation of the extent to which

it is being done and its technical capacities. I am sure you will find that what the minister has said can be substantiated.

If the minister would give us a written explanation of what is being done at the present time, I am sure that would allay any fears any members might have.

## STATEMENTS BY THE MINISTRY

### ONTARIO ECONOMY

**Hon. F. S. Miller:** Mr. Speaker, since the House recessed last June, I have continued to monitor closely the performance of the Ontario and Canadian economies. I have been a participant at the first federal-provincial finance ministers' meeting in two years and listened to other provincial ministers express their concerns.

Today, in advance of the federal budget anticipated for later this month, I would like to review for all members of this chamber the current economic situation both in Ontario and in Canada generally. I would like to put the performance of the Ontario economy in its proper perspective, and I would like to comment upon the needs that must be addressed by the federal Minister of Finance in his budget if he is to come to grips with the issues in Canada's national economic performance.

2:10 p.m.

First, let me review our current economic performance. In my April budget message, I anticipated some difficulties that 1980 could hold for the Ontario economy. I stated that our performance would be significantly influenced by international events and by federal policies on oil pricing, the use of petroleum revenues, and interest rates.

Both the overall Canadian economy and the Ontario economy have declined sharply in performance so far this year. The reasons for this are clear.

Most industrialized economies, the United States in particular, are still struggling to absorb the impact of sharp increases in energy prices. The American economy has actually been in a recession for a number of months, a recession made more acute by the adjustment problems of the automotive industry.

As the Ontario economy is extremely sensitive to the health of a major export market, our overall performance has suffered as well.

Like the United States, we have experienced declines in both production and sales in some sectors of our economy, most not-

ably the automotive sector. The slowdown is also reflected in the level of excess productive capacity in some industrial sectors. Consequently, the phenomenal rate of job creation experienced in Ontario in 1978 and 1979—294,000 new jobs were created in that period—could not be maintained. As a result, the rate of unemployment increased to seven per cent on a seasonally adjusted basis by August.

These recessionary forces have been reinforced in Canada by the very restrictive high-interest rate monetary policy of the Bank of Canada. Additionally, the apparent unwillingness of the Liberal government to act to reduce its enormous budgetary deficit has seriously limited flexibility in fiscal policy at the federal level.

Both national and Ontario economic recovery would be greatly assisted by new investment in energy-related projects such as the Alsands and the Cold Lake proposals. The absence of an energy-pricing and revenue-sharing agreement has postponed these investment decisions to the detriment of our economic performance.

But there is a bright side. In fact, our economic future is far healthier than our present performance appears to suggest.

In comparison to other major trading partners, Ontario continues to perform satisfactorily. Where unemployment in the United States grew almost two whole percentage points over the 12-month period ended in August 1980, Ontario unemployment grew by only half of one per cent. In the first eight months of this year, employment growth in Ontario was double that of the United States.

Many sectors of Ontario's economy are strong and are showing sustained or increased levels of employment. For example, non-residential construction, although slipping somewhat in the second quarter, has been strong. Manufacturing of machinery, production of paper and allied products, printing and publishing, food and beverage industries are some of the sectors that continue to exhibit high-capacity utilization.

While a significant part of our unemployment problem is related to temporary layoffs, many of these layoffs have been of short duration. I am pleased to see that in the automotive sector, the employment situation is starting to improve as manufacturers recall workers and resume hiring. I expect to see that sector improve its performance considerably with the new fuel-efficient automobiles having strong public appeal.



Such activities reflect, I feel, a growing sense of optimism. Private sector investment plans clearly indicate that Ontario's business community shares this optimism. According to Statistics Canada's mid-year survey of investment intentions, manufacturing investment in Ontario will increase by an anticipated 44 per cent this year. That figure reflects decisions to increase capacity, modernize existing plant and adjust to energy price increases, all of which can only improve our productivity and Ontario's competitiveness in world markets.

The government of Ontario has taken important steps to improve our economic potential and pave the way for new growth following this recessionary period. The employment development fund is supporting a massive program of modernization in the pulp and paper industry and is assisting the automotive and the parts producers, the microelectronics industry and urban transit.

Small business in Ontario is receiving a significant boost through the small business development corporation program, and we have been able to introduce tax measures to assist small businesses to grow and expand.

As a result, with appropriate federal policies, an early resolution to the energy issue and constant monitoring of our policies and programs, I am confident of much improved economic performance over the medium term.

In my mind, continued application of government spending restraint is clearly in order to control inflation and help our economic performance. And, of course, the public sector has a major role to play in this fight. Excessive rates of government spending and demands on capital markets produce inflationary pressures. The once widely accepted view that spending deficits are stimulative no longer holds true.

Effective economic direction requires governments to provide selective stimulus in the economy, without appropriating a larger share of the resources needed by the private sector, to increase employment and productivity. This is true for both the federal and provincial levels of government.

Our policy of fiscal restraint has been sensitive both to the needs of industry and to the needs of people. We have achieved our spending target without cutting programs and have reduced the deficit without raising personal taxes. Simple belt-tightening and more effective setting of priorities have produced a more productive, cost-conscious public sector.

At the same time, we have not jeopardized social service delivery or other essential programs. We have also taken new and positive

steps to protect Ontario citizens from inflationary and interest-rate pressures. Our program of tax relief and enriched income support for senior citizens will put \$75 million more in pensioners' hands this year. Our subsidy on interest rates for farmers resolved an acute cash-flow problem for that group.

We have stimulated sectors of our economy and we have met public social needs within the context of general fiscal restraint. I plan to continue this policy of maintaining tight control of Ontario's budgetary deficit, while at the same being flexible enough to meet pressing economic and social needs.

I would now like to discuss our economic prospects and the important issues that must be addressed if Ontario's and Canada's economic performance is to meet and exceed the levels we have come to expect. I want to say that Canada faces some serious structural problems that must be resolved if we are to achieve our potential and create real national strength. Resolving those problems will take determination and courage as well as co-operation between federal and provincial fiscal policies. They are not so simple that they can be solved by passing a law on full employment in this Legislature, as some members opposite would have us believe.

In my statement to the ministers of finance in Ottawa on September 19, I expressed grave concern over the lack of progress in co-ordinating federal and provincial economic and fiscal strategies. I put forward three priority issues for discussion: the need to curb inflation, the resolution of the energy issue and long-term supply security, and the need for selective economic stimulation to create jobs.

There are at present two major barriers that inhibit our attack on inflation. The first is the growing fiscal imbalance amongst governments in Canada and the effect this is having on our economy. Escalating surpluses in the oil- and gas-producing provinces and burgeoning deficits at the federal level are formidable obstacles to any kind of balanced national growth, and they inhibit any joint attack on inflationary pressures.

The second is the federal deficit itself. The size of the present federal deficit both limits the flexibility of that government to fight inflation and adds directly to inflationary pressure. To achieve lower interest rates, restore national economic confidence and provide directions and programs to improve performance all require that the federal government move immediately to reduce its deficit to a more controllable, more manageable level.

To this end, I proposed to my federal colleague, Finance Minister MacEachen, a program of spending restraints that could, through moderate and nondisruptive reductions, reduce federal cash requirements from the current level of 19 per cent of spending to about 14 per cent in three years.

2:20 p.m.

**Mr. S. Smith:** Are you also going federal?

**Hon. F. S. Miller:** Listen, we are at four per cent. Any time a Liberal gets below 20 per cent of his deficit that is pretty good.

**Hon. Mr. Davis:** Is this your direction after the next election, rather than McMaster?

**Mr. S. Smith:** I'll be right over there.

**Hon. F. S. Miller:** The opposition leader is going to be on our payroll one way or another after the next round. Frankly, it is cheaper to have him where he is.

**Hon. Mr. Davis:** He would probably earn less here than he would back where he is going.

**Hon. F. S. Miller:** Any increases in government revenues, especially from the resource sector could further reduce the cash requirements to a level more consistent with the levels of other western industrialized nations. I should add that even these levels would still be more than double that of Ontario.

As is the case of our own deficit reduction plans, this proposal would reduce the federal deficit without major personal and corporate tax increases and without reducing the level of federal contributions to social and economic programs.

The resolution of energy-related questions, pricing and revenue sharing is absolutely essential both for our national economic prospects and for the survival of the country.

Higher energy prices are a fact of economic life. In Canada, we have the luxury of determining the level of these price increases and of distributing the revenue from them in a manner consistent with national needs and priorities.

For this to happen, a much improved revenue-sharing agreement must be concluded which would provide the federal government with the economic power to pursue its equalization and economic development responsibilities. Failure to reach agreement along these lines will jeopardize any national recovery program, would substantially affect the soundness of provincial finances and would widen dramatically the regional after-taxes income differentials between oil- and gas-producing provinces and the nonproducing provinces.

A quick agreement on energy pricing will allow immediate commencement of major new energy projects such as Cold Lake and Alsands, with very real benefits to both Canada's and Ontario's economy. They will provide jobs all across the country, improve skills training, promote research and development activities, and support new industries, as well as increasing consumer and infrastructure spending.

The third of the priority issues I mentioned was the need for selective stimulation to provide good jobs. Although our job-creation record in Ontario has been good, and will strengthen again as the economy recovers, employment prospects over the next few months need the closest scrutiny from government.

In this regard, initiative at the moment rests with the federal government. I asked the Minister of Finance, and I was supported by some other provinces, to examine the possibility of short-term stimulus to the economy, perhaps for the balance of this fiscal year.

Such action is not inconsistent with the reduction of the federal deficit over the medium term provided it is selective, time-limited and designed to have its impact in 1980-81. To make such a program effective, I indicated to Mr. MacEachen that Ontario would be willing to participate in such action.

There are also a number of areas to which the federal government could channel its spending that would not only create jobs but also have a longer-term impact on our economic performance and social wellbeing. Expanded rapid transit, improvements to rail services, upgrading of forestry resources, and support to research and development activities all create much-needed jobs now and improve tomorrow's potential.

It is particularly important that federal and provincial governments intensify their efforts to improve skills training programs to meet an increasing demand for skilled workers. This is essential to eliminate production bottlenecks and increase productivity and may require a complete overhaul of federal unemployment support programs as they are now legislated.

Because of the need to address these major problems, I am awaiting the upcoming federal budget with a great deal of expectation and hope.

The decisions taken in that document will have a critical impact on the country as a whole and on the economy of the province. The minimum requirements of the federal budget are as follows:



1. A clear diagnosis of our national economic situation;

2. Details of a systematic program to control government spending and bring that deficit under control;

3. Careful assessment of the various measures to provide short-term stimulus to the economy; I hope this will include discussions with the provinces on immediate action;

4. Recognition that substantial personal and corporate tax increases are not appropriate to this recessionary period and will not contribute to national economic growth.

5. Movement towards the resolution of energy pricing and revenue sharing that will allow those large projects to go ahead; and

6. A fiscal plan to reduce foreign oil dependency and improve Canada's competitiveness in both industrial and commercial sectors.

Finally, the government of Canada must also recognize the increasing duality of Canada's economy. By that I mean the booming resource-based economic performance in some regions coexisting with recession in other parts of the country.

Traditional monetary policy, such as the restrictive high interest rate policy pursued by the Bank of Canada, no longer works to resolve difficult economic problems. The high interest rates of the first half of this year neither reduced unemployment nor contributed to the fight against inflation. In fact, they were significant pressures towards higher inflation. As well, although traditionally applied monetary policy may have its intended effect in one part of the economy, it often acts in an entirely contrary way in another.

Mr. MacEachen's budget therefore must also reflect very careful consideration of the likely impact of monetary policy on all sectors of the economy, rather than the theoretical purpose. I would hope that a check on the trend towards higher interest rates would form part of his thinking.

In concluding, I would like to emphasize that I am very optimistic about Canada's and Ontario's medium- and long-term prospects. External factors combined with a resurgence of domestic demand will place us on the path to improved economic performance.

I fully expect a new wave of consumer buying of the new fuel-efficient automobiles with a resultant decline in the import share of Canada's car sales market. Residential construction should also recover as the industry responds and adjusts to demographic

changes and new patterns in housing demand.

The concerted efforts of all levels of government are essential to produce the level of economic performance that we should expect from this country. Initiative now rests with the federal government through Mr. MacEachen's first budget. I will be studying the effects of that budget on the people and on the economy of Ontario to determine if further initiatives are required.

#### BRAMPTON PICKET LINE INCIDENT

**Mr. Mackenzie:** Mr. Speaker, I have a point of order. Surely there will be a statement by the government in response to the question yesterday concerning the unfortunate Maple Lodge picket line situation and the misuse of women strikers by the police.

**Mr. Speaker:** I understand the Attorney General has the answer to a question asked yesterday, and perhaps at the appropriate time he will be given an opportunity to do that.

#### ORAL QUESTIONS

##### ONTARIO HYDRO EMISSIONS

**Mr. S. Smith:** I have a question for the Minister of Energy. Does the Minister of Energy recall the report that came out last June, although it was dated a year earlier, which was the fourth annual report on Michigan-Ontario air pollution, in which the International Joint Commission singled out Ontario Hydro's Lambton plant in Sarnia as the only sulphur dioxide emitter in that boundary area that is not meeting the joint commission's objectives?

Does the minister know that these commission findings were based on 1978 data and that I have before me more recent data from 1979, which show that since this report Lambton increased its sulphur dioxide emissions by some 30,000 tons per year?

Does the minister remember this report? What is he now doing about it? What can we expect the level of sulphur dioxide emission to be in the 1980s?

**Hon. Mr. Welch:** Mr. Speaker, quite simply, the answer to the first question is yes. In answer to the second, as I think we perhaps shared with the Leader of the Opposition the last time this matter was raised, Ontario Hydro has been giving this matter some priority attention, and I am expecting to have some report from it as the result of those figures before too long.

**Mr. S. Smith:** Keep in mind that the Minister of the Environment (Mr. Parrott) on this same matter of Hydro's cleanup said, and I quote—this is from a July issue of the *Globe and Mail*—"But I don't want to put any deadline on myself with Hydro. Any human being can only do so many things. It is a weakness not of me, but of our society, that so much authority is vested in a minister."

2:30 p.m.

Since clearly too much authority has already been vested in that minister, can we rely on the Minister of Energy to do something more? Can we rely on him to lend a hand and do something more with Hydro other than simply await certain reports that might or might not be forthcoming? Will he set a deadline for Hydro? Will he set a limit on Hydro?

Does he realize the three largest generating plants together have almost as much sulphur dioxide pollution as the famous Inco plant we have been talking about for so long?

**Hon. Mr. Welch:** Mr. Speaker, perhaps I could be allowed to observe that I and the people of Ontario have all kinds of confidence in the Minister of the Environment.

Applause.

**Hon. Mr. Welch:** I haven't even got to my own ministry yet.

Interjections.

**Hon. Mr. Welch:** If I might expand on that briefly, I know something of the commitment of my colleague to this whole question of the quality of the environment. No one in this House can point to any specific area of great concern where the Minister of the Environment and the members of his staff are not attempting as best they can to explain and to indicate what they are doing about it.

By the same token, may I assure the Leader of the Opposition and members of this House that in the Hydro organization there are men and women who share that commitment. No one can really be accused of lacking concern with respect to the environment. To impose artificial deadlines in the solution of matters that require a fair amount of technological consideration is being somewhat unreasonable.

Let me assure this House and let me assure the Leader of the Opposition that he does not stand alone in the province with his concern about matters of the environment.

**Mr. Isaacs:** Mr. Speaker, may I redirect a supplementary on that matter to the Minister

of the Environment and ask him, given that his ministry has known ever since it was created that Lambton, Nanticoke, Lakeview and other Ontario Hydro plants would be among the largest emitters of sulphur dioxide in this province, why is he waiting until next year to get himself personally involved in drafting the control order, rather than asking his staff to do that work now and to get the draft control order out into the public for discussion and implementation?

**Hon. Mr. Parrott:** The member had better read that a little more carefully. He will find there is no reference to next year—that's more poetic licence.

Interjections.

**Hon. Mr. Parrott:** Let me reiterate something I put on the record a little while ago that happens to be fact. I think it is a rather interesting observation. I do not say this in defence of Ontario Hydro, because indeed it is going to have an order, but let me also make it very clear that all the emissions of Ontario Hydro do not equal by any stretch of the imagination two or three independent sources of hydro generation in the United States. There are all kinds of them, where just one source exceeds all Ontario Hydro. That is not something the opposition wants to hear very often. It happens to be true and it is about time we understood it must be a joint action. I have not seen much on the other side of the street.

**Mr. Gaunt:** A supplementary, Mr. Speaker: The International Joint Commission made the very point the minister has just made, but it also indicated this was really no excuse for allowing pollution at the local level and made the further observation that Hydro should clean up. Would the minister not agree and would he make that one of his highest priorities?

**Hon. Mr. Parrott:** There is no doubt about that; we are. We are, as the Minister of Energy said, in the stage now of having completed a great deal of dialogue with Hydro, and that is our highest priority in the battle of acid rain. There is no problem there at all. We totally agree.

## HOSPITAL BEDS

**Mr. S. Smith:** I have a question for the Minister of Health, Mr. Speaker. Given the increasing evidence of the harm being done by bed cutbacks in the general hospital system and given the fact that to attain the minister's stated objective of three and 3.5 beds per thousand would require the closing



of somewhere between 4,500 and 5,000 additional beds, has the minister abandoned or is he prepared to abandon his stated policy target?

**Hon. Mr. Timbrell:** Mr. Speaker, I am pleased to say that it was never the policy target to go to three and 3.5. The member is mistaken in his assumption. We have in the last few years seen a net addition of beds in the province when we look at the total health care system. I do not anticipate in 1981 seeing any marked reduction in acute care beds anywhere in the province. In fact, in 1981 there will be an addition of acute care beds in a number of communities, and addition of chronic care beds in many communities and a further 600 nursing home beds, as announced in the throne speech.

**Mr. S. Smith:** Since the minister now no longer wishes to abide by the suggestions and guidelines of three and 3.5 beds which came from his ministry, would he accept 3.5 and four, which are the targets he is aiming at for the moment? Does that constitute the ministry's target and, if so, could he tell us on what that particular target has been based?

Does he recognize that further bed cut-backs of any kind are simply not indicated and that what is required is a vast expansion of chronic beds before people can even live with the present number of general hospital beds without the long waiting lists he has created?

**Hon. Mr. Timbrell:** I wish I could say there would be a point arrived at some time in the future where there would never be any waiting list. I think the member knows that that is simply not ever going to arrive. It has never been achieved in any jurisdiction and it will never be achieved here.

However, let me correct again his statement that our goal is three beds per 1,000 in the south and 3.5 in the north. That is wrong. The goal, as stated almost three years ago, is 3.5 in the south and four in the north, which we have virtually attained. Second, I would remind the member that at the time the policy was announced it was indicated that these were the goals for acute care beds; that at that time the previously existing maximum levels for chronic and extended care beds had been removed, and that, based on local assessments of need, beds will be added.

I would remind him that in a great many communities, nursing home beds and chronic care beds have been added in the last 18 months. Most recently, in Richmond Hill,

31 beds were added to York Central Hospital yesterday, thanks to the efforts of the member for York North (Mr. Hodgson) and the next member for York Centre.

Interjections.

**Hon. Mr. Timbrell:** In addition, I would point out to the member that the whole purpose of stating three years ahead of time our goals was to effect a shift in the system from an overreliance on acute to an expansion—

**Mr. S. Smith:** Shift? It is going to be a strangulation.

**Hon. Mr. Timbrell:** I wasn't the one who demanded that \$50 million be cut from the Ministry of Health budget two years ago. It was the Leader of the Opposition. It is on the record. Fifty-million-dollar-slasher Smith—that's who he is.

**Mr. S. Smith:** What nonsense. Do you really believe it?

**Mr. Cassidy:** Supplementary, Mr. Speaker: Will the minister undertake to put himself out of the corridors of the Ministry of Health and into the corridors of the hospitals of Metropolitan Toronto and other communities across Ontario where emergency patients are being forced to wait because of the shortage of beds? Will the minister not then undertake to ensure that the provision of hospital services be related to need and not to theoretical budgets that are worked out within the Ministry of Health, which are creating extreme hardship and hurting people across the province right now?

**Hon. Mr. Timbrell:** Mr. Speaker, that is the whole point relating to need. I would point out to the member that in his own area the health council in Ottawa-Carleton has indicated that it could go to three beds per thousand or less with certain programs.

2:40 p.m.

The member mentioned Metropolitan Toronto. Comparing this year over last, just going from the spring of 1979 to the spring of this year, there were more than 500 more beds in service in Metropolitan Toronto in the spring of 1980 than there were in the spring of 1979. There were more than 200 more beds opened in Metropolitan Toronto in the summer of 1980 than in the summer of 1979.

We have approved more than 200 beds to be added to Scarborough Centenary Hospital. We have approved a 300-bed hospital at Scarborough l'Amoreaux site for the Salvation Army. We have approved 65 beds that have gone into service at the Etobicoke General. I am awaiting in the next few weeks a report of the Hospital Council of Metro-

politan Toronto, based on which we will be adding a significant number of nursing home beds and further chronic beds in Metro. These are over and above the ones we have added in the last 18 months at Queen Elizabeth Hospital, at the West Park Hospital and at the Grace.

**Mr. Conway:** Supplementary, Mr. Speaker: Yesterday the minister indicated in this policy area that as of September his area teams were meeting with the hospitals of this province who were reporting uncontrollable problems that had developed. He indicated they were authorized to rectify them or seek a rectification in these budgets.

Recognizing that a majority of hospitals are likely to have deficits this year, collectively in the order of \$60 million, what mandate do these area teams have? What is the basis for the rectification arrangement the minister has struck with these very seriously concerned public hospitals, who are reporting deep financial problems?

**Hon. Mr. Timbrell:** Mr. Speaker, I am pleased to have the opportunity to finish what I started yesterday, and I thank the honourable member for arranging for that.

First of all, let's put this in some kind of perspective. The overall spending increase for public hospitals this year in Ontario was greater than 10 per cent. That included increases on the base budgets, plus increases for new programs that have been approved and the annualized financial effect of programs that have begun in 1979.

Second, the increases provided for in the January 22 statement were based on the best data available late in 1979 of projected increases in salaries and wages and goods and services. So the intention was that the budgetary increases for 1980 would match inflation.

The total operating costs of the hospitals of Ontario are approximately \$2.3 billion. I mention that because the projected deficits as matched to the total spending are a very small percentage—not that it is insignificant, but it is a small percentage compared with more than \$2.25 billion.

Let me give the House an example. Perhaps an orthopaedic surgeon has moved into a small community where they did not have one before, and that has happened since the budget was set down. As a result, the demand on beds and the demand on services, machinery and everything else is something they had not had to accommodate before. That has led to deficits.

Yesterday morning I was with representatives of various emergency departments around the province and uniformly they re-

port a very significant increase in patient load in emergency departments and ambulatory-care areas of hospitals. That sort of thing has to be accommodated because they cannot stop the people coming, and we have to make sure they have the money to deal with it.

In other areas, it is due to population growth, but the adjustments will be made to ensure the programs carry on.

**Mr. Breagh:** Mr. Speaker, I would like to ask the minister if he could now confirm information, which we have received, that the hospital council in Metropolitan Toronto has now determined that the system is so badly jammed up there are almost twice as many chronic care patients in active treatment beds than there were when he began this process. Can he confirm that in fact it has gone from 10 per cent to 18 per cent?

**Hon. Mr. Timbrell:** Mr. Speaker, at the time the process began I am on the record as saying that our estimate was 15 to 20 per cent. I believe the study essentially confirms that. The study was based on a snapshot view of the Metro hospital system on May 7, 1980. Since then a number of new beds have come into service such as the expanded West Park Hospital in York South riding.

Last spring I suggested to the hospital council that they seek approval for several hundred more nursing home beds in Metro. They asked me to wait until the study was completed. I know the study will indicate the need for hundreds more nursing home and chronic care beds and we are prepared to respond to that as soon as the report is in and we can work it out with the hospital council.

#### ASSISTANCE TO PULP AND PAPER INDUSTRY

**Mr. Cassidy:** I have a new question for the Premier. Yesterday we had evidence from an independent agency that his government had misspent \$95 million in assistance to the pulp and paper industry. That same report said there were not enough trees to feed the industry now, let alone to feed the industry when it expands. Since the Minister of Natural Resources (Mr. Auld) has admitted the current reforestation program of the government is falling 50 per cent short of its targets, could the Premier tell us when we can expect to have tabled in this Legislature a new program for planting trees to protect jobs in northern Ontario?

**Mr. MacDonald:** Remember the Bramalea charter?



**Hon. Mr. Davis:** Mr. Speaker, not only do I remember it, we do it.

**Mr. MacDonald:** Is the Bramalea charter just more Brampton bilge?

**Hon. Mr. Davis:** I would have thought the very distinguished member for York South would know better than to make observations of that nature.

**Hon. Miss Stephenson:** Sludge.

**Hon. Mr. Davis:** York South sludge, is that what you would call it?

**Mr. Speaker:** Order.

**Hon. Mr. Davis:** Well, they are interrupting me, Mr. Speaker. Knowing the Speaker's great interest in this whole subject, I certainly will get to the point of the question immediately. What was the question?

I have the report here. The member very kindly sent it to me. It says, "The Economic Future of the Forest Products Industry in Northern Ontario; prepared for"—but I understand not accepted by—"the Ontario Royal Commission on the Northern Environment by Lakehead University; principal authors, F. J. Anderson, N. C. Bonsor, department of economics, with the assistance of Mr. Benson, the school of forestry, Mr. Gallupe, the school of business administration."

There are certain credits given in the preamble to the report. The report has not been accepted by the commission. I think it is fair to state that a number of academics, and I am not being critical at all of the academics, have made a report based on certain statistical information that they have prepared, which expresses a point of view and their judgement.

I would point out to the honourable member that before he comes in here with reports suggesting that they, in fact, are the emanations of the royal commission per se, he should perhaps do his homework a little further. If I am incorrect in my observations, if in fact the royal commission has accepted this and has endorsed it, I stand corrected, but my understanding is that this is a working paper for the royal commission. It is the point of view of the four or five people from Lakehead University who may or may not have some specific knowledge in this area. I have no idea.

I can get academics or anybody to write a report on anything. You can get conflicting reports on any point of view. I have news for the honourable member. I know of some of the researchers in his office who came up with conflicting points of view in some of his own research. Some of the research done

over there on energy policy boggles the mind. It may not boggle the member's mind because one has not made that assessment.

May I also point out to the honourable member that if he takes individual examples, I would say with respect to the authors of the report and with respect to the leader of the New Democratic Party, there is a possibility that if Iroquois Falls had not received the kind of assistance coming from this government, it might not be operative today. I would say with respect, if we had not assisted Dryden, there is perhaps a possibility that would not exist today. That is something the academics did not cover.

I would even go back again, as I did yesterday, to Welland-Thorold. Their report may not even cover Ontario Paper, but I think it is clear that the government policy was of great assistance to Ontario Paper. It has secured employment for the people of that area and I would even say the local member has acknowledged in his incautious moments, if not in public print certainly to some people there, what a great program it is.

2:50 p.m.

One can go into any community in northern Ontario that is dependent on the pulp and paper industry as a means of livelihood and not find one person, a member of the union, management, town council or whoever, who is not supportive of what we have been doing for the pulp and paper industry, in spite of this report that has not yet been accepted by the royal commission.

**Mr. Cassidy:** Since those mills in northern Ontario will not run at all if there were not trees to sustain the jobs, and since the Ministry of Natural Resources categorically was saying as recently as last month that the reforestation in northern Ontario falls far short of what is needed to sustain the jobs in northern Ontario, can the Premier say whether the employment development fund people talked to the Ministry of Natural Resources before they gave that money to the pulp and paper industry? Can the Premier promise when the government will bring forward a plan that will ensure that the trees will be there to sustain the jobs in northern Ontario?

**Hon. Mr. Davis:** Mr. Speaker, I am delighted to sense that the leader of the New Democratic Party has moved away from his criticism of the policy of assisting the pulp and paper industry to one of concern about the number of trees. I would say to the honourable member that when agreements are concluded with those who are the recipients of this modest degree of government

financing, the question of supply is taken into account.

I would say to the honourable member, if he wishes to direct further questions to the Minister of Natural Resources related to the adequacy of supply of a product that is essential for the functioning of the mills in terms of the employment that is generated, the Minister of Natural Resources will give him a detailed explanation that will take up the rest of the question period and which will be totally relevant.

Mr. Cassidy: I have a supplementary for the Premier on this. Since the Premier keeps telling us—

Mr. Speaker: Order. The member for Welland-Thorold wants to make a point.

Mr. Swart: Mr. Speaker, I want to make a point of personal privilege. The minister indicated I had supported the policy of subsidies to the paper mills in this province, particularly to the Ontario Paper Company. I want to state categorically that I have opposed the principle of these kinds of subsidies to the paper mills generally in this province, along with the Canadian Paperworkers Union, but have said that even with this wrong policy, the Ontario Paper Company was as much entitled as the big ones such as Abitibi to which the government had already given money.

Hon. Mr. Davis: Mr. Speaker, I want the official records of this House to show that the member for Welland-Thorold has really enunciated one of the most waffling kinds of statements I have heard in the history of this House. I would like him to get up and say that he is prepared to face his constituents saying that Ontario Paper should have received no assistance from the government of this province. If that is what he really means, he should get up and say so. I challenge him right now, right here.

Mr. Cassidy: A final supplementary: Could the Premier tell the House why it is that when there is a possibility, in his terms, that the companies may need the money, the money is advanced without any requirements to justify it, without any assurance that we here in the Legislature know as to whether that expenditure of \$95 million of public funds was justified or not, yet when we have this categorical evidence that we are falling far short of replacing the forest we need to maintain the jobs in northern Ontario, there is no such expenditure from the government to maintain the jobs in northern Ontario? Why this double standard when trees are

being cut and not replaced to create jobs in northern Ontario?

Hon. Mr. Davis: Mr. Speaker, really, I am trying to be as helpful to the leader of the New Democratic Party as I can, and I suggest the Minister of Natural Resources would be delighted to give him some information. My information from the minister, in that I am closer to him than is the honourable member, is an expenditure of \$4.5 million this year, \$20 million next year and \$20 million the year after.

#### LAYOFFS

Mr. Cassidy: Mr. Speaker, I have a question for the Minister of Labour. Since the Minister of Labour says the mass-layoff problem shows signs of a turnaround, what advice would the minister give to the 185 employees of Caravelle Carpets Limited, in Cornwall, who were told on the weekend that their plant is closing with no indication that the company will provide severance pay and with no protection for pensions for workers with less than 10 years' service?

Hon. Mr. Elgie: Mr. Speaker, the matter of the closure in Cornwall is a matter that I have already asked my staff to look into and it is doing that.

[Breakdown in sound system.]

Mr. Speaker: Hansard is just as concerned about the sound system as we are. It is doing everything technically feasible to correct it. I would just admonish members that if they would keep their voices down and limit their interjections it would be a lot easier for us to communicate under these difficulties.

Hon. Mr. Elgie: As I have said, I have already asked for a review of the situation in Cornwall and will be glad to let the member know the result.

Mr. Cassidy: Supplementary: Does not the fact that the Minister of Labour's people are moving in only six weeks before the plant is due to close and the fact that the decision has been irrevocably made by the corporation show how inadequate our laws are to protect workers who are affected by layoffs, particularly when there are 42,000 people unemployed in eastern Ontario right now and when there have been 600 workers laid off already this year just in the city of Cornwall, where these layoffs occurred?

Hon. Mr. Elgie: Speaking personally, I think the member knows very well the great interest and activity I and my ministry have taken with regard to the issue of individual plant layoffs. I will continue to show that



interest. I indicated yesterday that I would be making a statement on the broad matter of plant closures and I would ask the member to wait until I have that statement later in the week.

**Mr. Samis:** Supplementary, Mr. Speaker: Can the Minister of Labour assure the 185 people who will be thrown out of work that any legislation that may be introduced later this week will be retroactive and will apply to them?

**Hon. Mr. Elgie:** Later on in the week I will be commenting in a statement on the matters related to plant closures.

#### INVESTMENT COMPANIES' FAILURE

**Mr. Breithaupt:** Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations with respect to Astra Trust and Re-Mor Investment Management Corporation. Can the minister explain why several hundred pensioners and others who have lost their life savings are being forced to sue this government to obtain some restitution? Will the minister accept some responsibility in this matter to get the federal government and the trust companies, along with his ministry, to share in some program so that these various persons who have been clearly defrauded, in my view, can expect restitution in a practical way, particularly the pensioners and the others who have lost their life savings in some cases?

**Hon. Mr. Drea:** Mr. Speaker, I had nothing to do with two separate lawsuits. One involved two people in Hamilton who decided to go on their own, and later there was a consolidation. However, I agree with the member on his general approach. It is the position of this government—I should say the position of this minister—

**Mr. Peterson:** Not the same thing.

3 p.m.

**Hon. Mr. Drea:** I don't think it is very funny. Cool yourself down. You are the ones who write me these bleeding heart letters and then you open your mouth in here.

The course of events basically began with the decision by the Ontario government not to charter the principals of Astra Trust as a trust company. Notwithstanding that, the federal government chose to do so.

Over the five or six years it is a matter of record—I am sure the honourable member knows this as he is a director of a trust company in the federal sector, and this is well known out in the trust field, but I want to put it on the record—there were several warnings to the federal government concerning

the activities of the principals of Astra Trust. The associated companies that were involved with Astra Trust would never have sold the amounts of debentures, or of investment certificates, without the front of Astra Trust.

**Mr. Hall:** Or without a charter.

**Hon. Mr. Drea:** Many of them were sold and C&M's were sold long before.

First, it is our position, and we want to deal with the federal government on this—I have to choose my words carefully because there is additional litigation by the trustees involving certain assets that it is claimed left Re-Mor and were put into Astra to keep it going—that the proper manner in which this situation can be wound up is for the federal government to acknowledge that the bulk of the moneys that left Re-Mor were used to prop up Astra Trust because the federal investigators were in. The return of those funds would enable the payoff on the Re-Mor investment and, of course, the people who had deposits in Astra Trust were covered by normal government insurance.

The real problem for the federal government, and I sympathize with them, is the chartered banks are unalterably opposed to that procedure because they, too, contribute to the Canada Deposit Insurance Corporation. That is the route that this government feels should be taken. I alluded to it somewhat sketchily before in my estimates. That has been our particular constant thrust.

Second, and more important, there has to be a determination as to who has jurisdiction over trust companies in this country, because I say to the honourable member the federal government is in another pickle. There was an insurance company we would not touch, and warned them not to. That insurance company obtained a federal charter and is now in a very precarious financial situation with amounts of money unfortunately owed in Quebec.

**Mr. Breithaupt:** Supplementary, Mr. Speaker: It was this company and this ministry that were involved with respect to the licensing of Re-Mor Investments. As my press statement on July 31 showed, it was 13 days after the Supreme Court of Ontario ordered C&M Financial Consultants into receivership. Since that clearly is part of this whole pickle, as the minister might put it, what responsibility is the provincial government going to assume in this matter, not only with respect to co-ordinating some arrangement, perhaps through other trust companies and through the federal government, but in trying to protect the people who have lost

funds in these circumstances—partly because of the whole involvement not only of the federal government but of this government too?

**Hon. Mr. Drea:** Mr. Speaker, I outlined the route the government felt would produce the fairest and most effective settlement for all concerned. I think that is the route we want to follow. If you are asking me to comment upon the particular court case because that court case says the registrar in a particular application was negligent, I do not want to try it here. We will win it, but I do not want to try it here.

**Mr. M. N. Davison:** I have a supplementary, Mr. Speaker, regarding the government's culpability in the Re-Mor \$6 million swindle. I want to lay it out fairly clearly for the minister.

The Ontario Securities Commission had decided to shut down Mr. Carlo Montemurro's previous company, C&M Financial Consultants, back in November 1978, which eventually led to the decision of the Supreme Court of Ontario and to the \$3.8 million conspiracy to defraud the public. A different component of the ministry registered the second Carlo Montemurro corporation, namely Re-Mor Investment Management Corporation, in late February 1979, after both of these decisions which were public, in contravention of section 5 of the Mortgage Brokers Act, thereby committing what can only be described as an act of gross negligence on the part of the ministry and which led to the swindle being made possible, if not inevitable.

The Montemurro victims gave 16 days' notice of intention to sue the ministry back in September of this year for that negligence under the Proceedings Against the Crown Act. In view of all the foregoing, will the minister now admit publicly, as he should, his liability and his ministry's liability to make sure that some remedy is provided to those victims of the ripoff?

**Hon. Mr. Drea:** Mr. Speaker, the answer is no.

**Mr. S. Smith:** Given that we all appreciate the minister's efforts to protect us from Academy Award-winning films and beer in the ball park, here we have hundreds of pensioners who have actually lost their life savings because an official in his ministry licensed this company not 13 days after the same individual, in reprehensible and disreputable circumstances, was put into receivership. How can the minister possibly sit back and say it is someone else's responsibility to help these pensioners? It is

surely the responsibility of the government to be of assistance in these cases and what is the minister going to do about it?

**Hon. Mr. Drea:** Mr. Speaker, I didn't say it was anybody else's responsibility and I don't understand some of those remarks. But I have told the Leader of the Opposition once before—and I really say this out of friendship because he is not a bad guy—not to be a mouthpiece for a mouthpiece. The Leader of the Opposition got into difficulty with that once. If this government was negligent, as the Leader of the Opposition says and we dispute it very much, I don't consider this case one way or the other—we are going to win—to have any impact upon the final settlement.

**Mr. S. Smith:** But they are people. Who cares if you win your case? It is the people who count.

**Hon. Mr. Drea:** I have been working for some time for those people. We have embarked upon a route that will provide—if there is agreement—

**Mr. S. Smith:** Then why did they decide to sue you?

**Hon. Mr. Drea:** The Leader of the Opposition is asking me why they decided to sue me. We are not accepting liability. We are prepared to defend the registrar's decision in the court that it was not negligent. That is as simple an answer as I can give the member.

The real work that has to be done is in sifting away what moneys went into Astra in the dying days of Astra Trust. If they came from Re-Mor, and there was some litigation on that, then those funds should be returned to Re-Mor and there is no difficulty with Re-Mor. Nor do the people who invested with Astra Trust stand to lose because they are in an assured position.

That is the route we are going to go. I am very hopeful it can be accommodated in the short term. If it is not, then we will have to choose another route.

#### AMBULANCE SERVICES

**Mr. Breaugh:** Mr. Speaker, I have a question for the Minister of Health concerning emergency ambulance response times. Is the minister aware of the death this summer of Mrs. Marion Dulmage of Picton, who suffered cardiac arrest and the response time in that instance was more than 30 minutes?

**Hon. Mr. Timbrell:** I'm sorry, I can't really hear the member. The sound system really is bad.



**Mr. Breaugh:** Is the minister aware of the death this summer of Mrs. Marion Dulmage of Picton, Ontario, who suffered cardiac arrest and the response time in that instance was more than 30 minutes?

**Hon. Mr. Timbrell:** No, Mr. Speaker, I'm not.

**Mr. Breaugh:** Mr. Speaker, is the minister aware that yesterday the director of ambulance services at the Ajax-Pickering General Hospital, Mr. Russ Abram said, "If it is cardiac arrest, it is too late"; that once again we are putting money ahead of lives because the response time in that area is 18 minutes? Is he anticipating the ministry will take similar disciplinary action, as he did against Mr. Hank Meyer who blew the whistle on the Halton-Mississauga response time?

**Hon. Mr. Timbrell:** Let me respond to the latter part of that first. I am pleased to do so and inform the member, which he should know, that first of all the ministry had no part whatsoever in the suspension which was registered against that individual by his employer. It is not a ministry service from which he was suspended.

**Mr. Breaugh:** The minister was there. He was there.

3:10 p.m.

**Hon. Mr. Timbrell:** If the member would like to make that statement outside, he can go ahead, but it is not true. He has been misinformed, I am sorry. We had no part in it whatsoever. What is more, I am informed by my officials that there is no reference whatsoever to the ministry. In fact, there is some further action coming on that between Mr. Meyer and the ambulance service, to which we are not related.

As for the other case, I forget the figures offhand, but there are literally tens of thousands of ambulance calls per year in this province. If the member is going to try and zero in on one call and say that means the whole system is falling apart, then I am sorry, I think that is irresponsible. If there is a particular case he wants me to look at, I will be more than happy to do so. I will be more than happy to look at that, but don't cast a slur and take a slap at the whole service on the basis of one case. I will take a look at it and see if there is a problem.

#### BRAMPTON PICKET LINE INCIDENT

**Hon. Mr. McMurtry:** Mr. Speaker, the leader of the New Democratic Party asked me yesterday about incidents on the picket

line at the Maple Lodge Farms Limited plant in Brampton. I have today a preliminary report from the Peel Regional Police, and I would stress that this is but a preliminary report.

First, regarding the four women pickets sent to hospital, my information is that the four fell or were pushed to the ground during the melee or disturbance. One of the four was treated and released. The others declined treatment.

Second, there were 23 uniformed officers at the scene because in the view of the police the previous experience during the strike indicated that was the number necessary to allow entrance and egress to the property and to protect citizens involved on both sides of the dispute.

Third, the plainclothes officers were there because of serious allegations of damage to property and because uniformed officers were occasionally punched from behind as they linked arms with their backs to the pickets. They were there only in an investigative role.

I have been promised a more complete report from the Peel Regional Police later in the week as they continue with their investigation of the allegations.

I should also say that those attempting to enter the plant at the time of this disturbance were federal government meat inspectors who were not directly involved on either side of the dispute. I am also advised that the police have videotapes of the incidents and these are being reviewed. I am further advised that criminal charges have been laid and I do not wish, therefore, to get into a prolonged discussion of the matter at least until I have a more complete report.

**Mr. Mackenzie:** Supplementary, Mr. Speaker: Is the Attorney General also aware that there was a hearing for an injunction brought by the company this morning and that there was an excess number of photographers there on the scene as well taking pictures when the shoving and pushing of the women took place on that line? Can he tell me how many of the officers were injured? Can he tell me why officers were there out of uniform and certainly in nondescript clothing? Will he get an impartial reply, and not a Peel Regional Police reply, to what is going on there because there is something sadly lacking in the integrity of that situation?

**Hon. Mr. McMurtry:** Unlike the member opposite, I am not going to engage in the business of prejudging any situation before there is credible information on both sides of the issue. I have already indicated in response to the last part of the supplementary question that the police officers who were in plain

clothes were there in an investigative role and that is why they were in plain clothes. I don't have any additional information other than what I have related to the House. When I have additional information I will so advise the House.

Interjection.

**Mr. Speaker:** The honourable minister has stated that is only an interim answer. He has nothing further to add and will be bringing the House up to date when he has further information.

### NORFOLK TEACHERS' DISPUTE

**Mr. Nixon:** I would like to ask the Minister of Education if she can report to the House on the status of the strike by the secondary school teachers in Norfolk county which today has again closed all of the high schools in the area?

**Hon. Miss Stephenson:** Mr. Speaker, it is my understanding that there is still a full withdrawal of service in the Norfolk county area. It is also my understanding that the mediator is ready to return to function on behalf of both sides, to try to reach an agreement. At this point he has received a formal request from the Norfolk County Board of Education but, to my knowledge, has received no such request from the Ontario Secondary School Teachers' Federation.

**Mr. Nixon:** Does the minister recall that about this time last year a similar strike began in Brant county which was not ended until two or three months later? Would she not say it is her responsibility to use her good offices and her judgement—I want to watch my adjectives in this connection—so that we are not going to be subjected to a similar lengthy and acrimonious strike in Norfolk county as we experienced in the nearby county just a year ago?

**Hon. Miss Stephenson:** As I am sure the honourable member is aware, the Education Relations Commission is functioning diligently and vigorously on behalf of the situation at this time. Certainly the minister will be watching the situation with grave concern, because I really hope there will be no repetition of the kinds of disruption of educational programs which we saw in the last school year.

### TRANSITIONAL YEAR PROGRAM

**Mr. Swart:** Mr. Speaker, my question is to the Minister of Education, too. The minister knows, doesn't she, that for the past 12 years Brock University has been operating a very

successful program whereby bright grade 12 students, after a five-week preadmission summer course, are admitted to first-year university studies. This government has never funded the expense of that summer course, but why is the minister trying to kill the program altogether for next year by cutting off the BIU university grants of \$2,400 for the first year of university for each of the pre-admission course students?

**Hon. Miss Stephenson:** Mr. Speaker, a decision was made more than one year ago that there would be only one program—at least, that there would be criteria developed to ensure that transitional year programs were appropriately assessed to establish their basis for funding. We examined all of the programs in the province, and there was only one university program that met the criteria and had addressed the specific cultural and educational needs, but particularly cultural needs, of groups of students in an area, and that transitional year program is being funded. None of the rest will be funded, and all of the universities have been made very clearly aware of this for some time.

**Mr. Swart:** Is the minister against innovation in the field of post-secondary education? Does she not realize that the students are unanimous in their support of this program, that there are less dropouts during university years from this program and that the average marks are higher than they are for the other students in the university? By what distorted logic is the minister killing that kind of program and taking a year out of many students' work lives?

**Hon. Miss Stephenson:** The honourable member may be spouting certain kinds of statistics for one institution only, but those suggested facts do not apply across the province.

We have a program for university admission in this province. We recognize that there are certain areas in which students who have not taken advantage of that educational program make a decision to go back to school, and there are provisions for them within the public educational system to achieve their grade 13 standing and then to be admitted to university. We support those students vigorously.

3:20 p.m.

We do not believe that high school programs should be delivered at the universities of this province. We believe that in certain specific instances where there are cultural needs specific to certain groups within our society, that may be a rational position and



a rational approach to meeting the educational needs of students. We did assess all those programs on the basis of those criteria and made the final decision, which is entirely rational.

I have no doubt that all the students at Brock are in support of this, no doubt whatever, but I would also suggest that all the students at Brock might be strongly in support of suggesting that those transitional year students could achieve their grade 13 status through the public educational system and then attend Brock as normal admittances.

**Mr. Bradley:** Supplementary, Mr. Speaker: Does the minister not recognize that the pressure will now be placed upon the university to continue that particular program and to use funding that is derived from other areas to finance that program and therefore that other programs or facilities at the university might be adversely affected? They may bow to that legitimate pressure because she put forward a program that was popular and reasonable and now she has pulled the rug out from under the program.

**Hon. Miss Stephenson:** The rug certainly has not been pulled out from under it. As a matter of fact, two years ago the universities were warned that we had to look at this carefully; they were also made aware of the criteria we would be using in assessing the programs in existence. The universities have been very well aware of this for some time, and I believe in most instances they support the kind of decision that was made.

#### MASSEY-FERGUSON PENSIONS

**Hon. Mr. Drea:** Mr. Speaker, yesterday the member for London Centre (Mr. Peterson) asked if the ministry was looking at the matter of the Massey-Ferguson pensions and the bequest—I suppose that is the best word—of the Argus Corporation shares.

That matter has been under investigation since it became public last Thursday. Indeed, there are meetings going on today. In formal proceedings later this week, the Pension Commission of Ontario will be analysing exactly what happened, and we will reply to the House as the information is made available.

**Mr. Peterson:** Supplementary on that, if I may, Mr. Speaker: As I recall in the press, Mr. Wells Bentley said that he may bend the rules somewhat, that he would not scrutinize this too carefully. As I recall, that is what he said in the press; if I am wrong, I am sure the minister will correct me. Could the minister tell me what Mr. Bentley's predisposi-

tion is on this matter? It appears he is going in with a particular point of view.

**Hon. Mr. Drea:** I do not know what was in the press. I have discussed the matter with Mr. Bentley, and he views it in exactly the same way as does the minister. The gut and the core question is, what is the value of those shares? Of course, if the company continues to operate and so on, they have a value; if the company does not, they have a breakup value. The real question is, what will that do for the pension arrangements of the employees of that firm in the long term, with the company continuing, or in the short term?

There have been bequests like this before, though not of this size. The only one that is comparable to this occurred in Quebec, and it had nothing to do with the termination. It had to do with the death of the owner of a very large firm who, in his will, bequeathed the bulk of his estate into the employee pension fund. So there really is not a comparable precedent.

I should say the other part of the question involved a tax consideration. Obviously that is within the jurisdiction of the Minister of National Revenue. I have taken the liberty of sending him the Instant Hansard and asking him to reply to the honourable member directly.

To put the matter in order, there are discussions under way looking at what exactly constitutes this bequest to the pension fund, and then the pension commission is going to look very actuarially and very analytically at what the real value is; in other words, what will the employee get out of it, no matter what the course is?

**Mr. Renwick:** Supplementary, Mr. Speaker: I wonder if the minister, without going through all of this ritual of the pension commission, would simply get from Crown Trust Corporation or from Argus Corporation, or both of them, the document under which the transfer of the shares was made and table it in the House so that we can have a look at it.

**Hon. Mr. Drea:** I understand that is the function of today's meeting. I will be glad to table all the information, including the pension commission's analysis when the pension commission meets later this week. The meeting today is with Mr. Bentley and the parties.

#### CHILDREN'S AID SOCIETY DISPUTE

**Mr. O'Neil:** Mr. Speaker, I have a question of the Minister of Community and Social Serv-

ices. Could the minister bring this Legislature up to date on the children's aid society strike in Belleville, a strike that has been going on for more than two months and a strike in which there is considerable conflict between the board and the union?

**Mr. McClellan:** Come clean.

**Hon. Mr. Norton:** Mr. Speaker, I always come clean. First of all, I think the member is slightly incorrect in that it is just under two months. It is not a significant error, but I just want to correct the record on when that stoppage of service in Hastings county began.

**Mr. O'Neil:** I can't hear you.

**Hon. Mr. Norton:** I am sorry, I cannot correct the system, unfortunately. I have tried for the last four years.

As I think the member knows, throughout the period of the strike we have been monitoring the situation with respect to the service for children in that county very carefully. In fact, a staff representative of the ministry has been on site daily to monitor it to make sure the essential service is being maintained and the society is fulfilling its mandate under the child welfare legislation of this province. I am satisfied to date that has been taking place.

I would add at this point that I have been very encouraged, actually just since coming into the House today, to learn that, as of meetings this morning, some very significant and encouraging movement has taken place in terms of the negotiations. I do not yet know the details but, on the basis of the information I have received, I am optimistic that might lead to an early resolution of some of the outstanding differences between the employees and the board.

I think out of respect for the integrity of the collective bargaining process it would probably not be well for me to say much more than that at this point on that specific aspect of the question. I certainly would not wish to jeopardize any possibility of an early resolution which, I understand, is a real likelihood.

## INTRODUCTION OF BILLS

### AMUSEMENT RIDE SAFETY ACT

**Mr. Eaton** moved first reading of Bill 159, An Act respecting the Licensing and Inspection of Amusement Rides in Ontario.

Motion agreed to.

**Mr. Eaton:** Mr. Speaker, the purpose of this bill is to provide for the licensing and inspec-

tion of amusement rides in Ontario. The bill requires that all amusement rides be licensed. A director, appointed under the act, is given the authority to revoke the licence for an amusement ride that does not comply with the act. The act provides for inspectors and specifies that the inspectors must apply the midway safety code when conducting their inspections. It is an offence under the act to operate an amusement ride that is not licensed or that is unsafe, or to cause or permit an amusement ride to be operated in an unsafe manner.

It is hoped that this act will get at some of the situations we have seen at many of our fall fairs, et cetera, where unsafe equipment may be being used.

3:30 p.m.

### LABOUR RELATIONS AMENDMENT ACT

**Mr. Mackenzie** moved first reading of Bill 160, An Act to amend the Labour Relations Act.

Motion agreed to.

**Mr. Mackenzie:** Mr. Speaker, the purpose of section 1 of this bill is to repeal a provision in the act that permits an employer to request either before or after the commencement of a strike or lockout that a vote be held on the employer's last offer. Section 2 of the bill repeals a provision of the act that permits employees in a bargaining unit who are not members of the trade union to participate in a strike vote or a vote to ratify a proposed collective agreement.

### ONTARIO HERITAGE AMENDMENT ACT

**Mrs. Campbell** moved first reading of Bill 161, An Act to amend the Ontario Heritage Act, 1974.

Motion agreed to.

**Mrs. Campbell:** Mr. Speaker, the purpose of the bill is to make several amendments to the Ontario Heritage Act, 1974. Section 1 of the bill removes the 180-day limitation on the ability of a municipality to prohibit the demolition or removal of a building or structure that has been designated under the act. Section 2 of the bill enacts a new part V(a) of the act that provides powers to the Minister of Culture and Recreation to designate properties of historic or architectural value in Ontario. These powers are similar to the powers already provided to municipalities under the act.



The bill also contains the provision permitting the minister to provide assistance to individuals, institutions, agencies, organizations and municipalities for the purpose of conserving buildings of historic or architectural value in Ontario.

**Hon. Mr. Wells:** Mr. Speaker, I wonder if I might ask for the concurrence of the House to revert to "Motions".

Agreed to.

## MOTION

### COMMITTEE SUBSTITUTIONS

Hon. Mr. Wells moved that the motion to reconstitute the standing committees of the House as adopted October 6, 1980, be amended as follows:

Resources development: Mr. Mackenzie be substituted for Mr. Lupusella, Mr. Di Santo be substituted for Mr. Makarchuk and Ms. Gigantes be substituted for Mr. Swart.

Justice: Mr. Renwick be substituted for Mr. Cooke and Mr. Ziembra be substituted for Mr. Young.

Social development: Mr. R. F. Johnston be substituted for Mr. Martel.

Motion agreed to.

## ORDERS OF THE DAY

### GAME AND FISH AMENDMENT ACT

In the absence of Hon. Mr. Auld, Mr. Yakubski moved second reading of Bill 59, An Act to amend the Game and Fish Act.

**Mr. Yakubski:** Mr. Speaker, it gives me a lot of pleasure to move second reading of Bill 59, An Act to amend the Game and Fish Act. Since the last major revision of the Game and Fish Act in 1961 there have been many changes in the public's attitude towards wildlife and increasing demand for wildlife-based recreation by residents of Ontario and by the tourist industry.

The commercial exploitation of wildlife has become increasingly important in Ontario as well as the rest of the world, and the need for amendment to the act has been expressed by a large number of citizens of this province. Furthermore, as new developments in wildlife management techniques occur, and as more effective training of law enforcement staff has been achieved, the necessity for amendment to significant portions of the act has become more evident.

This bill deals with the needs of new wildlife management techniques. It provides the statutory changes for activities that have

been traditional in Ontario but have not been adequately covered by the current statutes. It provides for the additional controls necessary for the preservation of the use of wildlife resources of the province.

In addition to providing for the regulation, restriction, possession and use of traps and the establishment of educational programs for trappers, it embodies all the principles of Bill 15, presented by the member for Etobicoke this year. That was supported by the government as well as members of the opposition parties. All the foregoing measures combine to provide much more clearly the objective of the government to have wildlife dealt with in a humane way.

The bill recognizes the necessity for making regulations responsive to social changes. Not only does it address the requirements for clearer and more precise control involving hunters, trappers and the other users of wildlife resources numbering three or four million people, but it also resolves many concerns expressed by naturalists, humane associations and animal welfare groups numbering between five and seven million people.

These new consumptive users, whose concerns are increasing, can be served more readily by much that has been added to the statute by the bill directly or by the enabling section which allows for making regulations under a variety of terms and conditions.

The amendments to the act recognize the improved training being provided by the government to our own conservation officers and to any member of the police force appointed under the Police Act. It provides for the use of discretion in the seizure of anything related to an offence against the act and, further, it places the decision respecting the forfeiture of all items seized with the court rather than with the ministry. At the same time, the fine which a court may impose has been increased from a maximum of \$1,000 to \$5,000.

In this respect, the provisions of the bill dealing with the discretion of officers, responsibility of the minister with respect to seized game and fish or equipment, forfeiture by the court and the increase in the maximum fine that may be imposed by the court, are all included to make the act consistent with the Fisheries Act, Canada and the Migratory Birds Convention Act, Canada, which ministry officers already enforce. In some cases, minor changes in wording have been made to assist the courts where the act was previously considered somewhat ambiguous.

To many members, the extension of the act to include amphibians and reptiles may be curious, but I believe this inclusion will be supported by a large number of people in Ontario to ensure that the scientific and commercial use of these poorly known and largely misunderstood animals does not lead to the endangerment of their status as part of the fauna of this province.

3:40 p.m.

As a result of scholarships provided by the Ontario Federation of Anglers and Hunters, studies of elk have indicated that particular species of big game is again endangered. A number of sections of this bill refer to this species, which will receive protection until the ministry is able to be assured that the populations of elk are no longer threatened.

Faced with the decline in big game species, notably deer, elk and moose, it is essential that hunting be controlled in an intensive manner in small geographic units. The bill provides for regulating the number of hunters in these, as well as addressing the problem of obtaining accurate assessments by requiring mandatory reporting of hunters' success.

The bill also recognizes that veterans, victims of accidents, or persons disabled by birth defects should be exempt from some sections of the act to ensure that their handicaps do not interfere with their opportunities to hunt, despite their inability to do so without the use of a mechanized vehicle.

While recognizing that the hunting of raccoon at night during the open season and the training of dogs to hunt raccoon and other animals during the rest of the year has been a traditional activity in Ontario, the bill also addresses the illegal use of lights or other use of lights from vehicles which has led to illegal activities, especially the jack-lighting of deer.

This bill is being supported by a large number of interested people throughout Ontario and is an essential amendment to the Game and Fish Act which will assist the Ministry of Natural Resources in the administration of the statute to provide for the management, perpetuation and rehabilitation of wildlife resources in the province.

I recommend that this bill be approved by this House.

Mr. Kerrio: Mr. Speaker, I am most anxious to participate in the debate in relation to Bill 59 as a person who is very much interested in this particular field. But it is an indication of the same government doing the same things about nearly any kind of policy you might talk about.

When they stand and tell us they have not done anything in this particular field since 1961, it does not surprise me in the least. After having arrived at a position in all of the world, as it were, as being a place for the outdoors and hunting, it seems a shame that we have now to start managing the hunters, in a country that used to have all kinds of wildlife.

With minimal involvement, this government should have had by now the kind of management they have had in Sweden for the last 25 years, where the biggest problem they have today is too much wildlife. They addressed themselves to the problem. Their forest management included the kind of cover that those animals needed, and they managed their herds; they did not manage the hunters or the people who were pursuing the game. Any kind of management of game and fish in this country of ours is long overdue.

The people in the hunting and fishing organizations have for many years cried out to the government to put a fee on these things and to put in the kind of management that would guarantee not only to people today but also to subsequent generations that the game and fish of this great land of ours would be protected, that it would be there for us to have the use of and would be there for succeeding generations.

This has not been done. While some of the things we are dealing with in the bill are meaningful, I am suggesting to the parliamentary assistant that when we get down to issuing two licences to hunt one moose and to not having the kind of game that is required before these regulations are passed, we are putting the cart before the horse. It is just about time the government addressed itself to the other aspects of the fish and game management of this great province of ours.

The fact is that for many years we have had people from the Ontario Federation of Anglers and Hunters pursuing regulations, but in the first instance we have not answered the need, which is the supplying of the game and fish.

I support the bill because it addresses itself to many aspects of pursuing game which needed upgrading in a more modern way. But the point I want to make wholeheartedly and with everything I can summon here in this debate is that it is about time this government listened to those people in the field and provided the licensing and the funding; actually, the hunters and fishermen are prepared to put in funds themselves, they are not asking the government to supply it. This



is mismanagement of the worst order if we do not address ourselves to that problem before we give so much time to the regulations that are going to direct these hunters and fishermen.

The bill that stands before us in nearly every instance is doing a good job as it relates to the protection of the game and upping the fines; I concur with putting a substantial fine on those people who break the regulations. Most everyone who participates throughout the province has seen fit to do so also, because the Ontario Federation of Anglers and Hunters, which is the largest organization in Ontario, is agreeing with nearly every section. But when we get into the clause-by-clause stage of consideration of the bill, we could look at it a little more carefully and maybe alter some of the areas that need it.

In conclusion, I would like to say I had occasion to go to a neighbouring state to hunt. I never thought that could happen. But the fact is, there are more hunters in the state of Pennsylvania, more deer taken by hunters, more management of deer herds done in the state of Pennsylvania, than this province of ours has seen fit to do. It is one of the reasons they get 500,000 people hunting in that state every fall—a tremendous number more than can possibly hunt in Ontario—simply because we have had no management of the game.

I will leave that thought with the parliamentary assistant, and I hope that in addressing himself to changing some of the regulations as they relate to the game laws he is going to do something meaningful to provide game.

**Mr. Wildman:** Mr. Speaker, I rise to participate in this debate as the leadoff speaker for our party mainly because our natural resources critic, the member for Port Arthur (Mr. Foulds), is at this particular moment on his way to Toronto on a bus because of the disruption of air service, and he has been unable to get here. I understand he will not be here until 5:30 this afternoon.

I want to say, in response to the comments made by the parliamentary assistant, that our party supports the move being made to amend the Game and Fish Act to add additional controls. I think this party has been in the forefront for many years in speaking out on the need for meaningful wildlife management in this province.

In reaction to the comments of the member for Niagara Falls (Mr. Kerrio), I can only say that his comments perhaps indicate one of the misconceptions that many people in southern Ontario have about the situation of

big game, and small game as well, in northern Ontario, as well as in other parts of the province. There is no way the anglers and hunters of this province wish to have the decimation of the herds that has taken place in southern Ontario occur in northern Ontario. They realize, as do conservationists and people in the tourist outfitting industry and so on, that there is a tremendous need for meaningful management for the preservation of the herds. That means self-management as well as management by the government.

**3:50 p.m.**

The idea put forward by the member for Niagara Falls that somehow we should not be managing the hunters, but rather we should be managing the wildlife, I think misses the point. The point is, of course, we should be managing both.

Without adequate controls, we would be subject to the irresponsible hunting by the minority of those individuals who take part in the hunts in this province. I say the minority, but there is that irresponsible minority who are somehow unable to see the future and understand that if there are unlimited takes each year eventually we are not going to have adequate numbers for a sustained regeneration of the herds. We face a very serious problem.

I note that in the bill we deal specifically with elk and the concerns over elk, and we support that. As the parliamentary assistant is aware, we have serious problems with just about every species of big game in this province except for bear. We face a very serious problem in terms of deer, and the ministry is finally recognizing that we have a very serious problem in terms of moose. At this particular time they are trying to experiment with various types of controls to try to ensure that the success rate of the hunt is less than it has been in the past so that in the future we can indeed have a success rate for hunters, because if we do not do something, especially in some areas of the province, we are headed for serious trouble.

The ministry this year has imposed, as the member for Niagara Falls indicated, a pair hunting licence, which is as a result—as the parliamentary assistant is aware—of meetings that were held across the province and discussions of the problem and various proposals for controls with interested parties, both conservationists and hunters. We will see how that proposal operates. The Ontario Federation of Anglers and Hunters obviously wishes to have a party licence rather than a pair licence; the ministry went this route and is having some disagreement now with the

federation over the advisability of that particular regulation as opposed to the party licence.

I would hope that the discussions that have been taking place bear a little more fruit than they seem to have produced over the last few months, because there has been some serious concern expressed by the federation about the lack of response by the minister and ministry to its concerns.

Also, in some areas of the province the ministry has instituted draws for the right to get a licence, and in this way it is even more severely curtailing the numbers of hunters because of a perceived drop in the number of moose being found.

One of the problems that has been raised about the whole control and management of wildlife is the question of clear cuts in forestry. As the member for Niagara Falls indicated, the forestry industry and the wide areas of clear cutting obviously do have an effect in terms of the habitat of wildlife, both moose and deer.

An area that has been clear cut and has not been regenerated is obviously an attractive habitat for these animals, because there is a possibility of feed and they can browse in those areas. But obviously when they are attracted to those areas so are the hunters and there is very little cover, and the success rate in the hunts has shown that we cannot continue to allow unlimited hunting in areas that have been clear cut and expect the hunt to continue in the future. In some areas, those areas have been closed off completely on an experimental basis by the Ministry of Natural Resources to see if these measures will be successful in regenerating the herds.

Obviously, as the parliamentary assistant indicated, the regulations have to be responsive to social change. I am not sure exactly what social change he was referring to. What I am concerned about is the very considerable increase in the numbers of people in this province who enjoy the recreation of hunting and getting out in the fall to enjoy the outdoors and to participate in the hunt.

With these large numbers of people, obviously we have to become involved in managing people or managing hunters. Surely—and this may be rather an extreme statement—if we were not to have any hunting, then we would need very little management of the herds. I know that is not completely correct in that severe weather and so on can affect the herds.

I think the parliamentary assistant would agree the greatest pressure right now is hunting. For that reason, we have to manage the

hunters. The hunters themselves agree with that. The question is, are the experimental methods being proposed for this year by the ministry adequate and responsive to the concerns the hunters have expressed?

The parliamentary assistant in his opening remarks referred to sections of the bill which make it possible for conservation officers to have more discretion. I would like to deal with that for a moment. Before talking specifically about their discretion, I want to say that no matter what we do in terms of regulation, unless we substantially increase the numbers of conservation officers in this province, the regulations will be ineffective.

At this particular point in time, it is a matter of pure luck—the conservation officers will accept that and agree with that—if an individual who is not abiding by the hunting regulations is apprehended. It is bad luck for the person who is apprehended and good luck for the conservation officer. Because they have such a wide area that they are responsible for covering, as well as increasing amounts of paperwork that keep them in their office rather than out in the field, they just cannot adequately do the job. I do not think one would find very many conservation officers who would disagree with that.

The one thing that is interesting in the amendments to this act is the suggestion that the minister could appoint deputy conservation officers for any part of Ontario. The bill removes the stipulation in the old act that they would be without remuneration. Perhaps this is an attempt by the ministry to deal with the shortage of personnel. I hope the parliamentary assistant could clarify that. If it is, I think that is an opportunity to increase the numbers of people who are enforcing the regulations that are put forward in this act. Unless we do that, we are dependent almost solely on the goodwill and common sense of the hunter.

I would say that the majority of hunters in this province are responsible individuals and their organizations are responsible and do self-regulate. Unfortunately, there are numbers of people who, when given the opportunity, will take advantage—will hunt out of season, will take more than they are licensed to do and so on. Unless we increase the personnel we are not going to be able to regulate that, no matter what regulations are set forward under this bill.

4 p.m.



The parliamentary assistant also pointed out that under the amendments the officers will have greater discretion in terms of seizure. As a northern member I have a great number of complaints—when I say a great number, I do not want to give the impression it is a very large number, but there are in the area of 10 or 20 or so every year—from individuals who have had their equipment seized because they have been suspected of being in contravention of the law. Until that question is decided in court, oftentimes they are unable to appeal that seizure. Under this regulation it would be changed from “shall” to “may,” and I think that is a step forward.

However, this gets into another very questionable area which I hope the parliamentary assistant can clarify, and that is the whole question of the rights of native people to hunt in this province. The parliamentary assistant said that one of the aims of the amendment was to make the act consistent with the Fisheries Act and the Migratory Birds Convention Act, which are enforced by this ministry. As I am sure the parliamentary assistant is aware, those two pieces of federal legislation in themselves are very contentious issues in the native community of this province. I would like to find out what the position of the ministry is and what regulations are going to be drawn up in terms of the discretion of conservation officers, in enforcing the regulations under this act and under those two pieces of federal legislation.

In most cases, the treaties of this province gave the Indian people the right to fish, trap and harvest wildlife without interference in unoccupied lands that had been given up in the negotiations. With successive moves by the federal Parliament, those rights have been delimited, specifically the Migratory Birds Convention Act and the Fisheries Act. In terms of the Migratory Birds Convention Act, the right of a native person to hunt geese, for instance, is limited. The question is, what is going to be the attitude of the ministry in enforcing the regulations of those acts and the regulations under this act in terms of moose and deer hunting?

We have to make a commitment to recognize that the Indian people's rights, as stipulated in the treaties, will be respected. In the past the ministry and conservation officers have said they use discretion when they find an Indian person hunting, whether it be out of the regular season, or whatever, and they may turn a blind eye, especially if the hunting is taking place on unoccupied land. Over

the past few years that policy seems to have changed dramatically. As a matter of fact, I understand there was a recent case in the Fort Frances area, Treaty No. 3 area, where the prosecutor speaking for the government stated that it was the Ministry of Natural Resources' policy now to prosecute to the full extent of the law and to ask for the maximum penalty.

I want to make clear that we support these provisions in the bill to increase the penalties for those people found guilty of contravention of the act. In other words, we agree the court should have the right to impose heavier fines, if the court deems that is necessary to ensure there is adequate deterrent for unauthorized hunting. However, that then begs the question as to how that relates to native rights.

It might be said that this might sound like a bit of a contradiction. On one hand, I am saying we are in favour of increasing control and increased management and in limiting the take, and on the other hand I am saying we should recognize aboriginal rights and treaty rights of native people. But I do not believe that is a contradiction. I do not think there is a conflict between the establishment of good wildlife management programs by this government and the rights of Indian people in this province.

If we recognize that Indians in Ontario have hunting and fishing rights that we must not interfere with because they are set forth in treaties signed between them and the British crown, or later on with some of the northern treaties with this province and with the federal government, then this does not preclude the negotiation and working out of agreements between the ministry and the Indian band chiefs and councils to ensure that there will be conservation where needed in the areas where Indians are going to be hunting.

Perhaps we could look at the possibility of the passage of band council resolutions to ensure that hunting and fishing would be carried out on a sustained yield basis in those areas, and that those band council resolutions could be enforced by the treaty Indians themselves in co-operation with the ministry. I do not know whether that would work, but it is something we should look at very carefully. I think there should be discussions between the ministry and the tripartite organizations and the treaty organizations themselves.

Whenever ministry studies indicate that the number of species appear to be dwindling to a dangerous low, then obviously there has to be regulation of harvest. But I do not think the parliamentary assistant would say—I am sure he would not say—that the blame for the

dwindling numbers of big game in this province today can be set largely at the door of the treaty Indians.

Obviously the greatest pressure we have in most parts of the province is from those hunters from our part of the community. I agree we should be increasing controls on them; but we have to make clear when doing that what we intend to do in terms of the recognition of the rights of the Indian people. We must make clear how, once recognizing those rights, we will then accommodate them and the need for the regulation of harvest.

I do not think the Ministry of Natural Resources should be able any longer to set regulations unilaterally that will affect Indian people. I hope the parliamentary assistant can make very clear what the ministry's position is with regard to the regulations under this act and the discretion of conservation officers with regard to Indian hunting and fishing rights.

4:10 p.m.

Again, I want to indicate that we are in general support of the bill. We agree there should be increased enforcement. There are a number of sections of the bill that we do have some questions about. For instance, I would like to know what the minister is going to do in terms of setting conditions on people who have the right to guide. Could the parliamentary assistant indicate to us what kinds of qualifications would be required as set forward in section 5 of this bill? What kinds of qualifications would be required by the minister before he gave permission to someone to guide in this province?

This is something the Ontario Federation of Anglers and Hunters has expressed some concern about. The federation, I suppose, is not in agreement with my comments, at least in general, about native treaty rights and the possibility of self-regulation by Indian peoples. However, it is very concerned about what kinds of qualifications guides would have and what conditions the minister would set under that section of the bill.

In general, for a number of reasons I support the idea of requiring nonresident hunters to hire guides. Obviously in very remote areas it makes sense, if people are travelling into those areas to go hunting, that they have someone who knows the terrain and the wildlife and can assist them.

We spend an awful lot of money in this province every year searching for lost hunters, and if we can avoid that by having a system of guides, then all to the good. Cer-

tain states in the United States have this kind of system. Minnesota has an extensive system, I understand, and it is something we should be expanding. I agree with that. I would hope the minister would designate more areas where this would be necessary. But, again, what are the qualifications?

There are a couple of other things I would like to raise that perhaps the parliamentary assistant can respond to in terms of the types of traps that are set forward—and this relates to the bill that was put forward and passed in this House by my colleague the member for Etobicoke (Mr. Philip)—leghold traps and the whole question of humane trapping systems.

Can the parliamentary assistant indicate to us how the provision to allow a farmer, for instance, to trap on his own land relates to the regulation against use of leghold traps in builtup areas. What if he has a farm in a builtup area? I wonder if the parliamentary assistant could clarify that for us.

**Mr. Philip:** The farmer is exempt under the present bill.

**Mr. Wildman:** As my colleague says, he is exempt under the present bill. How does that relate to the whole aim we were looking at under the bill put forward by my colleague from Etobicoke?

**Mr. Riddell:** Farmers do not have time to trap.

**Mr. Wildman:** I can remember, when I was a kid, spending a lot of time getting rid of groundhogs for a couple of my neighbours.

There is also the question of giving an exemption for the wearing of a badge in a conspicuous place. In my area at this time of year, in the partridge season and so on, we see lots of hunters walking around with badges on their backs, and I think it is a very good idea. I wonder why the parliamentary assistant wants to exempt this, even in remote areas. There was an inquest into a very tragic death just recently northwest of Thunder Bay, where a hunter, as the coroner concluded, obviously not suspecting there would be anyone in the area, did what most hunters would agree is a very unwise thing to do. He heard a sound, he shot, and unfortunately hit and killed an Indian woman who was trapping in the area. It was just a matter of pure coincidence, but I wonder why we do not do all we can to ensure that people in the bush are wearing as bright and conspicuous clothing as possible, even in very remote areas. I would like some clarification under section 10 of the act on that question.



About the control of dogs, which is also raised in this bill, I understand the parliamentary assistant, on behalf of the minister, has put forward an amendment which will be moved in committee.

Every year I get all kinds of complaints, both in June and September, about bear hunters in my area using dogs. They are mostly nonresidents, mostly American hunters who come into the area to hunt bear. I think they have the impression that the area of northern Ontario, once one gets outside the cities, is all uninhabited so one can run roughshod all through the bush with dogs to flush out the game. Every year I get complaints, and I know the local MNR office also gets complaints, from property owners who have packs of dogs running across their property.

I know this provision in the bill is to prevent dogs out of season from running deer, moose and elk because they will run them to death in some cases. It is also to make it incumbent upon hunters and dog owners in general to control their dogs; otherwise, they could be shot by a conservation officer for good reason—to prevent the running of game until the animal collapses and dies.

What about controlling dogs in season in builtup areas? Why on earth are we not doing something to prevent hunters from running dogs across property without permission? I know the new act on trespass might have some effect but, in terms of dogs in pursuit of an animal, it does not really have any effect. I have seen situations where a bear has been chased into a backyard where a preschool child was playing.

Dogs themselves have become lost. Every year stray dogs are left after the season is over. If MNR personnel find them, they get in touch with the hunter if the dog has identification on it, as it should have. Then the hunter can come back and reclaim his dog.

I wonder if we should not be looking at the control of dogs in the sense not only of protecting deer, moose and elk from being run to death but also of protecting the property owners and the people living in the area. Could not the bill be stated in such a way that the minister could designate certain areas where he would not permit hunting with dogs, whether it be for deer, bear or whatever? Then we would not only be protecting the wildlife but also protecting the people who live in those areas and their properties as well.

One can imagine the consternation of a young mother when her preschooler is not

safe during the hunting season in an area that is built up. I am not talking about people living way off in the bush in the middle of nowhere but in areas that are built up and where dogs could chase a bear right into the backyard where the child is playing. There is no mention of bears under this provision and I wish there were.

I think there has to be more control of dogs in season, not only out of season. Dogs are a very useful animal in the hunt and when controlled and handled as they should be they are no problem. But there have been a number of problems, and I would hope this bill would deal with them.

With those comments, Mr. Speaker, I want to emphasize that we are in support of the bill in principle. We will support it on second reading. I think there are a number of questions that have to be raised about certain clauses of the bill, which we will be dealing with in committee. I would hope the parliamentary assistant could respond to some of the questions I have raised about the bill.

4:20 p.m.

Mr. Nixon: Mr. Speaker, I support the bill. I am very glad it is being brought forward and I am quite interested in its many provisions. I think it is regrettable, however, that the interest shown by the members of the House is as low as we can all see as we look around at the empty seats on all sides, particularly on the government side. The minister is not here. The parliamentary assistant, that well-known and friendly hardware storekeeper from Barry's Bay, sits in the back row with a smile on his face, piloting this legislation through the House.

There was a time when Ontario had a minister of game and fisheries who had a single and sole responsibility of seeing that our game herds and our fish were in good supply for the sportsmen because people thought of Ontario as a hunter's paradise and a fisherman's heaven. There is a lot of hunting and fishing, but I guess that the results of that are probably not as good as they once were when they were perhaps more fortuitously managed.

As a matter of fact, to go back pretty well close to 40 years—and the parliamentary assistant even remembers those days—when that kind of management was understood and expected by the taxpayers as well as the hunters in this province.

It is too bad we do not still realize when we see the map of Ontario and North America that we should be probably the jurisdiction with the best hunting and fishing of any. That

is simply not the case; it is not true any more. We have simply let it slip through our fingers because of inadequate management. The various private hunting and fishing organizations probably do more than anything the government does. The very professional and sportsmanlike attitudes taken by these people are much to be admired.

Occasionally, they do things I do not like very well, as when we get a letter from the hunters and anglers telling us what to do with this bill and saying they are going to look very carefully to see that we do what they say, as if there is some political threat. I do not believe there is a political threat. I think it is simply an indication that there is a strong interest by these people who do not spend all of their hours hunting and fishing but sit together going over proposed legislation, make proposals to the government and sometimes to the opposition, although that seems to be quite rare, and then see that their proposals are followed up in every way possible.

I do not want to be critical of the parliamentary assistant. Now that we do not have a ministry of game and fisheries, but only a Ministry of Natural Resources that is all-inclusive, that looks after our timber resources and our mines and our conservation authorities, I know that it is really very difficult for the minister or the parliamentary assistant to have his finger on any of the details that are so significant and important. I regret that because it simply means that the whole level of interest in this House is deteriorating.

There was a time that our committee meetings dealing with these matters would be crowded and one could not get a seat in the committee room. The minister and his officials would be there, and hunters and anglers and others would be crowding in to be sure that their views were made known through their own members of the Legislature. They also had an opportunity to put them themselves. I regret that.

Now it seems all we do is spend an inordinate amount of money with the Tory advertising agencies to get those beautiful four-coloured pictures, which are then put in the New Yorker magazine to indicate that if you come up here you can swim with a lady in a bikini and catch lots of fish. I think probably the first is true, but the second is probably somewhat more questionable.

I think the government's approach to this whole matter is one of advertising instead of coming to grips with some of the problems that are growing as the lack of a good policy has had its undoubted effects over these 37

years since we have had any significant leadership in this connection.

**An hon. member:** That is not right at all.

**Mr. Nixon:** Perhaps the member for Prince Edward-Lennox (Mr. J. R. Taylor), who is not sitting in his seat, would like to take part in the debate and tell us about hunting down in the county of Prince Edward. I see he is now resuming his seat. We can look forward to his contribution.

He knows all about hunting. He told us in a formal speech one time that he himself was the prey, the quarry, and that he was mugged in the corridors of power. I think we should not have had such an open season on Ministers of Energy in those days. It is a shame so many of them were knocked off in such a cruel and unusual way.

I have a high regard for the member as an individual, however, and I will look forward to his contribution to this debate, such as it is.

Along with other members, I have received communications from two or three interested individuals, particularly the Ontario Federation of Anglers and Hunters. They have made specific requests that we as members certainly want to respond to.

They have pointed out to us, Mr. Speaker—and I'm sure you have read your correspondence in this connection—that there is some concern with section 5 in its prohibiting anyone hiring someone to do some hunting for them. In fact, those people who may be employed as guides would find themselves in a position that is somewhat untenable. A guide in this province very rarely has any kind of status. We do not have a procedure whereby they are designated in any professional way. A person who may be hired by an individual as a guide, or as some sort of an assistant in hunting and trapping, would fall foul of section 5 and be arrested and even fined.

I believe that the government has not given the kind of support to the guiding and outfitting industries that it might. I think probably there is even some kind of nasty and old-fashioned politics associated with it sometimes in some of the more remote areas of the province. But I do believe we ought to establish the professional status of a hunting and fishing guide.

Our community colleges could be used to give the kind of training that young people with some natural bent in that direction and some experience because of their early days spent in the hunting and fishing parts of the province could turn into a very useful and



lucrative profession, a means of employment. I believe we have missed out on that.

It would mean we would have to designate those people who had received that sort of training and experience and give them an opportunity to perform their services in a clear and legal way, and it would be an advantage in that connection.

I also notice that the hunters and anglers draw our attention to the fact that in section 29(i) there is a prohibition against allowing hunt dogs or other dogs running at large during deer season in certain designated parts of the province. They make a very good point, namely, that we should include seasons involving other game, particularly moose, and perhaps elk as well.

I see the minister has indicated he wants this bill to go to committee and there may be some amendments in that connection. I sincerely hope that is so. I believe that proposal from the hunters and anglers is a very useful one.

The third matter I want to raise specifically in this connection is the objection raised by coon hunters to the fact that the training of their hounds is restricted under the provisions of this new enactment. They can only train their dogs during the coon season. As they very well point out, that is the time they use their trained dogs to go after the coon. They do not want to spend the time training the dogs. You would agree, Mr. Speaker, with the importance of this matter; otherwise, I would not raise it at this time.

For those people who are ardent coon hunters, presumably it is important. It seems it would be a very easy thing indeed for the government to allow training of those dogs without the proscription we find in the bill that is before us.

4:30 p.m.

An interesting sidelight to this, which perhaps comes more to the root of the problem, was brought to our attention in an article in a magazine called *Ontario Out of Doors*, the June 1980 issue.

The article was written by Gord McIntyre. He points out that Ontario's definition of hunting makes it very difficult to have the flexibility that is possible in other provinces in the use of dogs and in other areas. In Ontario, hunting is defined in many ways but it does not include the intent to capture and kill the prey. Nova Scotia includes that phrase—you are not hunting unless you intend to capture and kill the prey. It seems to me that makes sense. If our definition of hunting includes the intent to capture or

kill, it means that our hunters could be training their dogs and may be perfecting their own techniques without falling afoul of the law under some of these circumstances.

I feel sure that with the interest being shown in this bill at this time, and the fact that the minister has indicated it will go to committee, we can correct these matters. They may seem trivial, when we look at our budget of \$16 billion—and our overall deficit of \$37 billion, including the municipalities—and when we think of the large affairs associated with other aspects of government. Yet we are empowered here to see to it that our game and our fish are kept in good numbers and that we encourage the hunting population to grow in number themselves and have an opportunity to catch their quarry and their prey. It is a traditional aspect of life in this province.

I happen to come from an area where, although we do have a surprising number of deer and big game of that type, most of the hunting is done for the ubiquitous groundhog that my honourable colleague mentioned in the closing section of his remarks. Maybe we ought to do something more to encourage the hunting of groundhogs which, in my part of the world, are becoming a serious menace. Even though they eat only the very best alfalfa and soybean sprouts, nobody eats them very much even though the meat ought to be of the very highest quality. Maybe we should take this up with the director of the legislative restaurant to see what we could work out.

An hon. member: It could not be any worse.

Mr. Nixon: I, for one, am not really prepared to take that route. But anybody who wants some interesting hunting, and wants to get out in some of the most beautiful terrain in Ontario, is very welcome to come to my farm. I would not mind them stopping off and speaking to Dorothy so she knows what is going on out there when all the blasting starts, but we would certainly welcome you.

I feel that too many people are posting their properties with some feeling that people they do not know are coming out from the big cities, tramping around and doing God knows what damage. I think it is a shame that we do not have a better understanding that most of the people, I would say almost 100 per cent, who are interested in hunting are also interested in the preservation and conservation of our wildlife and our natural terrain.

There may be the feeling that some of the hunters we see from time to time have, among their equipment, a bottle of booze. This of course is probably one of the worst things. I know the parliamentary assistant will agree that it is one of the worst things that possibly could be associated with hunting or managing a gun.

One of the good things that has happened recently, in my view, is the large number of immigrants who over the last 10 years have moved into the cities. In my own area they have moved into Hamilton and so on. They have come from a tradition of hunting that is much stricter and more disciplined than what we are used to here in our own tradition, where there is always lots of land, lots of game and anybody who did not have a gun was not a real man. I think we have rejected that kind of an attitude.

These people who have come from certain countries in Europe, particularly Italy, France and Germany, are disciplined hunters. They know what they are doing. In my experience they never fail to come to the farmhouse to be sure they get permission as required under the law and then to go about their business.

There have been reports, I suppose, as there always will be, of people who have not lived up to the expectation and have acted something less than what we would hope for. But my own experience has been excellent, and I am glad that a good many farmers in our area welcome hunters. It annoys me when I get a phone call from somebody saying they object to the guns going off two or three fields away because it makes them nervous. I object to that and get myself into trouble from time to time responding to those objections.

In closing, I do want to say that I am glad the government has incorporated into the bill the provisions of the bill of the member for Etobicoke (Mr. Philip) which was discussed and passed by the House. I know that he deserves a great deal of credit for it. A private citizen we sometimes see around here, Avril Mitchell, deserves some of the credit as well because of her lobbying on all sides in favour of the bill of the member for Etobicoke. She, probably more than anyone else, made it possible for the non-partisan approach to a matter of this importance.

I look forward to having the bill discussed in committee, and I am glad to see that the parliamentary assistant has indicated he is prepared to bring forward certain amendments. I regret the absence of the minister but, of course, now that we do not have a

ministry of game and fishery but only a Ministry of Natural Resources, he has to concern himself with mines and the forests, and there is very little time for the policy of the government to be brought to bear on game and fisheries.

Mr. Swart: Mr. Speaker, I am going to speak very briefly on this bill. I just want to comment, as others have done, that there seems to be general support by various segments of the community for this bill we have before us. As the member for Brant-Oxford-Norfolk mentioned, we have received letters from various groups in support of this bill, including the Ontario Federation of Anglers and Hunters and the Canadian Association for Humane Trapping. In addition, I have received a petition with some 46 names on it and I will send it over to the parliamentary assistant. It is in support of this bill.

It is a petition to further ban the leghold trap in Ontario and deals with that aspect of it. It says, "Yes, I support the passage of Bill 59, which will further limit the uses for which a leghold trap may be set and also limit the locations in which the leghold trap may be placed." That is signed, as I say, by 46 people, with the first signature being that of Debbie Hurst. I will send this over to the parliamentary assistant.

My colleague the member for Algoma (Mr. Wildman) has covered the principles of this bill for our party, and I think for the citizens of this province, in a very able manner. He has covered the concerns of the native people with regard to their right to hunt and fish unimpeded, the concerns with regard to seizures and the concerns about the fact that the bill means little unless we have adequate numbers of conservation officers, to enforce the provisions of the bill. He and others have talked about the concerns of the farmers.

I notice the amendment we have before us from the government deals with only one of the concerns of the Ontario Federation of Anglers and Hunters and the Canadian Association for Humane Trapping. If I am wrong in that, please excuse me, but as I see the amendments which I have before me the minister has dealt with the one about the harassment of moose by dogs but none of the others. I am not going to go over them except to say that I hope when the parliamentary assistant rises to speak he will give the reasons why the government has not moved amendments in accordance with the requests of the Ontario Federation of Anglers and Hunters and the Canadian Association for Humane Trapping.

4:40 p.m.



I want to deal briefly with a section of the bill—which incidentally is one of the recommendations of the Canadian Association for Humane Trapping. Their concern is the same as mine, and that is with regard to the humane aspect of this bill in the trapping of any type of animals. It seems to me there is one shortcoming in this bill, and I admit immediately that in one respect it was a shortcoming in the bill that was presented by my colleague the member for Etobicoke. There was a deliberate shortcoming there because we had to receive the unanimous support of this House if that bill was going to be passed, and it was passed. This might have prevented that from taking place, but I think it is something we should consider at this time. That is the new section 29(a) dealing with leghold traps and the banning generally of the use of leghold traps.

This bill contains a provision whereby the minister may make an order designating municipalities or areas in Ontario where section 2 banning leghold traps does not apply. I agree with that. I think there probably are areas in this province where that should not apply, particularly in various parts of the north. But it seems to me that by the same token, and perhaps with even more compelling reason, the minister should be able to give exemptions to the provisions of (a) and (b) of subsection 3; they say subsection 2 banning the leghold traps does not apply to a person who owns a licence to hunt or trap fur-bearing animals and to a farmer who uses a body-gripping trap or leghold trap on his own lands in defence or preservation of his property or in circumstances referred to in subsection 6 of section 58.

I think we all agree with those principles. But I suggest there are areas in the province, particularly close to builtup areas, where the minister should be able to give exemption. It might be argued that the municipality should have this control, and I might have some agreement with that. But whether it is done that way—and that can be looked at—or whether it is done by the minister having the authority that those exemptions would not apply in some areas, we should have a provision in this act that leghold traps should not be set in areas immediately adjacent to urban areas. There may be other areas too where this should apply. I anticipate that it would not be used very often, but it would be helpful to have that clause in this bill. We will be moving an amendment to permit that when we get into clause-by-clause discussion of this bill.

I should point out that I have had some 98 letters sent to me at this time—and I believe there are some others that have not yet been counted—expressing that concern. I would just like to read into the record a letter from Mr. Harold Wightman, 117 Bald Street, Welland. He writes:

"Dear Mr. Swart: I would like to commend you and your colleague Ed Philip of Etobicoke for your support in the recent passage of Bill 15, amendment to the Games and Fisheries Act, which prohibits the use of leghold and body traps by laymen.

"This bill eliminates the problem of these traps in large cities. However, I do not feel that this bill deals effectively with leghold and body traps near small cities and villages that are surrounded by farm and wood lot areas.

"Since many suburbs in the Welland area and throughout Ontario border rural areas, I feel that a bill is needed to limit use of leghold and body traps to trappers in the northern wilderness only.

"I do not feel that part-time trappers near urban areas who are not earning their living from trapping or farmers also near urban areas should be allowed to use these traps.

"At the present time anything you could do to facilitate the passing of such legislation would be very much appreciated by your constituents and the public in general."

That is an indication, when I have 98 of these letters, of the feeling of the public out there about the dangers of the use of leghold traps adjacent to the urban areas.

I also have another rather lengthy letter, and I am not going to read it into the record at this time because it perhaps can be read more appropriately when we are dealing with the amendment. It is from the president of the Humane Society in Welland, Mrs. Mary Gill, who lists the number of animals, and even one or two humans, that have got into the leghold traps in the last year in the areas immediately adjacent to the urban centres.

I think that completes the remarks I want to make at this time. Like my colleagues, and I guess everyone in the House, I will be supporting this bill. Having said that, there are improvements that can be made which have been mentioned by my colleague the member for Algoma, and others which will be mentioned by my colleague the member for Etobicoke and, for that matter, others that have been mentioned by the member for Brant-Oxford-Norfolk.

It is my hope that the parliamentary assistant, when he gets up to speak, will explain why the government has not brought in the

amendments as requested by the two associations which I have mentioned and express his views with regard to the amendment I have now sent over to him.

**Mr. Breithaupt:** Mr. Speaker, my comments with respect to Bill 59 will be brief. I just wanted to bring one point to the attention of the parliamentary assistant, with respect to section 30 of the bill which is a proposed amendment to section 78 of the act.

I understand that amendments are now before the House, or will be brought before the House, that will allow not only the field trial but also the training of certain types of dogs with the approval and authority of the minister.

David Grasse of my constituency brought to me an article and other comments with respect to the training requirements for certain types of these dogs which naturally might be done outside of the actual hunting season. I understand that this amendment, which is going to be replacing what was proposed in section 30, will provide under proper circumstances the authority for these individuals, whether they are dealing with dogs that are involved with raccoons or with other types of hunting dogs, to have them continue their training and development.

I would ask the parliamentary assistant, if my understanding is correct that this is what will be allowed, to explain to me just on what terms and how he sees the authority is going to be granted for the proper training of these animals by the owners of them. Is this going to be quite readily available? Just how will this be handled so that the field trial and the training interest, which a number of people have, will be able to be attended to in a fair and balanced way?

I look forward to having his comment on that, as I am sure that other members of the House have received comments from their own constituents who are interested in this particular sport and development of dogs.

**Mr. Philip:** Mr. Speaker, I have a few comments on this bill. I think in principle we support the bill. There are a number of questions I have that I hope I can address to the parliamentary assistant, and perhaps he can answer either at the end of this reading or in committee.

4:50 p.m.

There are parts of the bill that I must say I could not have written better myself, and I appreciate the fact that the minister

has taken a bill that I introduced into the House and incorporated it into his bill. It also makes a great deal of sense that we incorporate the act that was passed that I had introduced. It makes absolutely no sense whatsoever to have two separate acts, and it is reasonable to consolidate the laws in this case.

However, there are some questions I have addressed to the minister in correspondence as a result of comments I have had from different municipalities and humane societies and individuals after my bill passed in this House with the unanimous support of the House.

I guess the major problem we have is that once an act is passed, how do we make sure it is not only enforced but also encouraged? The problem is that it is fairly easy to ban, as we did, the use of leghold and body-gripping traps in urban areas. The next problem we are faced with is that some municipalities, not all, do not have readily available those kinds of humane devices that will allow urban dwellers to trap nuisance animals easily.

I wrote to the minister and expressed my concern. I also had a conversation with him and said that possibly two types of action were necessary. In the first place, we should at least take an inventory of all urban areas where box traps may be borrowed and/or rented and prepare a list to be made available to the public and particularly to community information offices and so forth in urban areas.

In my own borough of Etobicoke, the local municipality will not give out the names of rental places where a person may go and rent a humane trap to get rid of a nuisance animal. They feel that in the past they have come under criticism that they were favouring one rental company over another. It seems only reasonable the ministry should therefore publish a list without discriminating about places where those traps are available. In those areas where they are not available, it should set up some kind of mechanism whereby local humane societies or other groups can be encouraged, perhaps with financial assistance from the ministry, to make these available.

It is ridiculous to ban the use of something and then not offer a humane and reasonably accessible alternative. We cannot expect the rather cruel practice of setting bodyhold and leg-gripping traps in urban areas to cease unless we provide alternatives that are as readily available. Otherwise, some people unfortunately will take the easy way out and



set them anyway. I suspect they will not go to a licensed trapper, or someone who knows how to set a leghold trap to catch a nuisance animal. Rather they will simply go down and borrow a leghold trap from grandfather's farm or find a rusty one in the cottage, or indeed may even still go down to the local hardware store and buy one.

An alternative plan that would be much preferable to that would be for the ministry to provide funds to local municipalities, or humane societies where they are designated as the animal control agencies, for the purchase of box traps so they can be made available to the public. Also, it should make funds available so those agencies and municipalities can make known to the public that these are available.

We are fortunate in Metropolitan Toronto whereby the Toronto Humane Society does have these traps available and, for a very nominal fee that is reimbursed on the return of the trap, people can borrow humane traps.

I discussed this possibility with the minister some time ago and the minister at that time did say it made sense. Perhaps the parliamentary assistant can tell us what progress, if any, has been made.

The other area I would like to deal with is the series of problems that have been brought to my attention by the Canadian Association for Humane Trapping. This is an organization I consulted with over a period of a year and a half in the preparation, writing and re-writing of the bill I introduced in the House and which was later passed. I think a lot of credit goes to this organization in assisting me in developing my knowledge of trapping and in bringing in a bill that was a lot more practical than the bills introduced by my former colleagues in the House, such as Dr. Shulman and other people, who introduced bills that were a lot simpler but perhaps not too practical.

I would like to refer the parliamentary assistant to a letter to members of the Legislative Assembly from the Canadian Association for Humane Trapping of June 5, in which they raise a number of interesting points. In the first place, in writing to the minister, they say that many of the points they had asked for, the minister says can be covered through various trapping regulations. My question is, if these proposals by the Canadian Association for Humane Trapping make sense, why not put them into the act? It is as simple as that.

They raise a number of questions for which I think they have been lobbying for many years now. The first question is the pro-

fessional development or training of trappers. It does not make sense to allow just anyone to go out and trap animals, regardless of the location in which they are trapping. I think that it has been shown over and over again—it certainly has been shown by my experience in urban areas—that people would set leghold and body-gripping traps particularly that do a lot of damage to animals, be they domestic in the case of urban areas, or wildlife in the case of urban and rural areas. Often the most damage is done by people who are not knowledgeable.

The Canadian Association for Humane Trapping has been lobbying for many years to have more professional development of trappers, because licensed trappers tend to create less suffering than do most people who are not knowledgeable. I notice that this bill does contain a section in which this is dealt with. The ministry is going to go ahead with the education programs. However, the Canadian Association for Humane Trapping suggests that only trappers who have passed the test should be allowed to trap animals.

I recognize that perhaps this cannot be done overnight, and that it takes a certain period of time to put this into operation. I hope that the minister or the parliamentary assistant can give us a timetable. It may well be that we may have to grandfather people into it, but surely new people who are applying for licences should have to pass some kind of test. I would ask what he has been doing in conjunction with the Canadian Association for Humane Trapping and other trapping groups to ensure that over a period of time at least we gradually weed out those people who are not knowledgeable in trapping animals and that only those who have passed some kind of course or program will be trapping.

There is another question which I think may raise a number of issues. I am sure the parliamentary assistant has a copy of this letter. If he does not, I can send him over a copy and perhaps he will address each of the points. I do not want to prolong the discussion at length, but one of the suggestions, which I think makes a lot of sense, is, why not put a limit on the age of those who are allowed to trap?

They suggest that section 19(3) of Bill 59, which amends section 58(6) of the act, should be altered by adding "over the age of 16," or words to that effect, to the words, "a farmer or any member of his family residing with him upon these lands." They simply suggest that it requires a certain amount of maturity to trap and that perhaps there should be an age restriction on that.

5 p.m.

I hope the parliamentary assistant will inform the House why the amendments requested by the Canadian Association for Humane Trapping are not being introduced by the government. I have gone through each of the amendments which the ministry intends to propose in committee of the whole and I can find nothing related to the Canadian Association for Humane Trapping's suggestions. I hope the parliamentary assistant will be able to deal with these. If not, it may be necessary for us, albeit on short notice, to introduce one or two of their amendments unless there is some assurance that their ideas and proposals will be implemented through regulation or some other process.

**Mr. Haggerty:** Mr. Speaker, I want to address myself to Bill 59, An Act to amend the Game and Fish Act. I was interested in the opening comments of the member for Renfrew South, the parliamentary assistant to the minister, when he outlined some of the major statutory changes that are required under the bill and are supported by a number of anglers and hunters in Ontario.

I suppose the intent of it, as he stated before, is the preservation of wildlife in Ontario as related to game animals, game birds and fish. Without a good wildlife management program, all species can be considered endangered under the act or, in fact, in Ontario.

My colleague the member for Niagara Falls brought to the attention of the members of the House the importance of good management, conservation and preservation programs which are available in Sweden and the extent to which they have been successful in their good forestry and soil management. I think he brought forward a key example there.

Also, in the state of Pennsylvania, he informed the House of the number of deer there that are shot every year. The number of hunters there outnumber the number of deer that are shot, but you are looking at hundreds of thousands of deer that are shot there. This only bears out the fact that they have good management in wildlife and forestry.

I listened to his comments when he suggested that in a reforestation program in the province we should set aside certain areas for grazing lands for elk, deer and moose. I think these are good points which perhaps have been lacking in the program of the present government for a number of years in this particular area. I suggest those points should be well taken.

The member for Algoma mentioned the poor management of wildlife in the southern part of Ontario where a great number of deer are lost through automobile or vehicle accidents. I have not seen too many deer in my particular area around Sherston. Years ago there used to be a number of them travelling down there, looking for places to eat. I understand that the ministry is now considering opening up some of these areas in the southern part of Ontario. I hope the government does not make it too broad and destroy what deer are left in that particular area so they may be able to continue growing in size and numbers of herds.

The minister indicated that he had opened the door for some handicapped persons to continue to enjoy the sportsmanship of game hunting, and I think that is one of the things we can accept. I think this is a step in the right direction. Perhaps it is long overdue.

I have taken note of the discretionary powers the minister has under the disposition of property. It can run into a sizeable amount of money for a person. He may even go in and seize an aircraft. The fines have been increased, and we all agree with that. I think it is a good measure to put in some levers to control poaching in areas of Ontario, but I just wonder at the words concerning the discretion of the minister. I think all goods that are obtained where there is a violation of the act should go on the auction block. In some cases, I understand a hunter may lose certain valuable guns because of not knowing all the gun laws as it is left to the discretion of the ministry.

The reason I bring this to the attention of the parliamentary assistant is that a person may say: "It is a good gun and we are not going to let go of it. We are going to use it for the purpose of hunting wolves." I suggest when there is a violation of the act all goods collected in this particular way should go on the auction block. If that person pays the fine, he should at least have an opportunity of getting his valuable gun back.

As I said before, the fine was raised for those in violation of the act. I see nothing in the act in the area of polluters. I do not have to tell the parliamentary assistant of the serious problem of acid rain in Ontario and the number of lakes that are being destroyed by this particular type of pollution. As a member of the select committee dealing with matters of uranium waste in Ontario, and mine tailings in particular, I can say that this is an area where I think the



industry is doing a good job. They are seeding it down with special grasses as a cover crop, particularly in the Elliot Lake area. I can see that this is going to encourage deer and other animals to use this as a good grazing area.

I am sure the parliamentary assistant is aware of the serious problem that relates to mine tailings. With the high contents of heavy metals, such as radium 226 and thorium, and through the process of growing of the grasses and the forage that may be there, the pass-on can perhaps cause a serious problem to the animals that may be pasturing on this particular strip of land. They are looking at a number of acres that are going to be required in this particular area, and perhaps in two years' time they are going to have to dispose of 10 million tons of mine tailings. If they are going to sod it or seed it down into grass, they are going to have animals grazing on it and we are going to have hunters go out and hunt and kill them. The pass-on of these toxic chemicals or waste can be serious to human beings.

I suggest particularly in the fishing area of this bill that provision should have been put in that the polluter must pay for the damage done to the wildlife in Ontario. I think I mentioned before about our first citizens in Ontario, the Indians, who have lost many of their rights to fish in some of the lakes and streams of northwestern Ontario. They have lost their rights to food and their rights to sell the game or the fish or whatever it may be. That has had a serious effect upon these human beings. When we apply a fine to the violaters for the killing of game and wildlife, it should apply to the polluter as well.

I was looking also at section 18 of the act. It says, "No person shall take, destroy or possess the eggs or nests of any game birds, except with the written authority of the minister to take, destroy or possess the eggs or nests for educational or scientific purposes." I think that is a pretty good section, but I have a press release here from a constituent of mine, Erno Rossi, MA. He is a teacher, a naturalist and author of two recent nonfiction books. The best-selling one was *The White Death Blizzard of '77*. This is the letter:

"Please help the tern. The common tern flies high above the water . . ." I am sure the parliamentary assistant and many of the members are familiar with this particular water bird, which is a beautiful black and white bird. "This sight may soon disappear,

because studies confirm that the tern is in serious trouble.

"Why? 'The large ring-billed gull is experiencing a population explosion,' says Brock University biologist Professor Ralph Morris, 'and no one is certain as to why this is occurring.'

"One thing is clear, however, and that is that the large gulls begin nesting two or three weeks prior to the tern and often there is little nesting space for the smaller birds.

5:10 p.m.

"When we look at the tern nesting island near Brighton, on Lake Ontario, the message is clear. There were 7,000 tern nests there in the 1950s, 1,000 in 1972, 79 in 1975 and only three in 1977. At the same time, the gull nests have increased to 25,000, an impressive increase from their first nesting in 1953.

"The Hamilton Harbour islands saw a drop from 150 terns in 1972 to zero in 1974, while at the same time, Muggs Island in Toronto saw a decline from 700 terns to zero. Ring-billed gull numbers at Muggs climbed in that period from about 4,500 to 7,000 birds. South Limestone Island in Georgian Bay witnessed a depressing slump from approximately 1,800 terns in 1972 to zero in 1974, while ring-billed gulls climbed from 25,000 to 38,000 birds.

"Tern numbers in Lake Erie are experiencing the same sort of decline as Lake Ontario and Georgian Bay. As early as 1965, research revealed that the reduction in terns on Mohawk (Gull) Island in Lake Erie near Port Maitland was caused by the recent nesting of herring and ring-billed gulls on the island." Conservation officer and naturalist author John Toll confirmed recently that the terns have been completely replaced by the gulls on Mohawk Island.

"Two nesting colonies at Port Colborne, on Lake Erie, confirm the sad news. Nesting terns have virtually been pushed off the Canada Furnace site by the larger ring-billed gulls, while at the Port Colborne lighthouse colony, the second largest tern colony on the Great Lakes, the terns have been forced to nest in exposed areas where man is devastating their numbers. Vandals take great delight in throwing at each other the tern eggs and helpless chicks. Tourists who step from boats will wander among the nesting birds and allow their dogs to trample the eggs and mangle the young birds. 'Dogs will be dogs,' one visitor commented after her two German shepherds had relieved themselves and then terrorized the nesting colonies. In terror, the chicks scatter and many fall from the break-

wall into the lake, where they either drown or starve to death. Some of the frightened babies will seek sanctuary at the nest of another bird and here further disaster awaits them. The refugee chicks are killed by the other adult birds whose territory has been invaded by the defenceless baby terns.

"This obscenity at the Port Colborne lighthouse colony must be stopped before the next spring nesting season. The tern needs our help and I'm forming a group with a base at Port Colborne High School, with the major purpose of convincing governments at all levels to declare the Port Colborne lighthouse nesting colony a bird sanctuary from April 1 to August 31 of each year. This sanctuary must be fenced, with trespassing both prohibited and prevented during the crucial nesting period. This colony can survive and prosper with our help. Left to itself, the tern may go the way of the passenger pigeon, and with each new threatened species we have to ask ourselves, 'Can man be far behind?'"

He brings forward a very important question, as we look at the bill as it relates to endangered species. I suggest to the parliamentary assistant that the Ministry of Natural Resources must give consideration to this request that the harbour at Port Colborne should be considered a bird sanctuary.

These are beautiful birds, and they do provide an element in our ecology. In the total environment on the waterfront there is a need for this bird.

I make the request to the parliamentary assistant that some consideration be given to making this a bird sanctuary, so that we do not have boaters and fishermen going into a nesting area, whether it is for this type of bird or even ducks. I suggest it is a site for breeding purposes for game birds as well.

**Mr. Lawlor:** Mr. Speaker, what concerns me about this legislation, and what I would seek absolute assurances on, is that in no way does it impinge upon or supersede any treaty rights as they exist. It has a fairly broad range of implications over a wide number of species of animals. In this House we all know the justifiable feelings of native peoples in this regard, and we know of the constant incursion by all levels of government with respect to what they consider to be essential to their livelihood. Standing here, I am not sure one way or the other. I am seeking assurances. I am seeking to know from the ministry whether they have had the fullest consultation with those most gravely and directly affected in this particular regard.

As is usual in this country, and more so at this time than at any other, there are nice overlapping powers between the federal government and the provincial governments with respect to migratory species, various forms of hunting and fishing rights in the province. In some areas the federal government has primacy of jurisdiction. In other areas the provinces have had to take the matters to the Supreme Court of this country. I know of at least 10 decisions that affect this very area. My memory, and my memory is clouded and unclear as I stand here today, is that there have been some very nice resolutions about who has authority over particular kinds of species, even if the federal government has not legislated in the field, and whether or not you can come to the unoccupied territory and lay down your strictures, regulations and nostrums in this particular regard. In some instances it has been done, and there have been some cases where the federal government has come along and subsequently passed legislation overriding provincial legislation such as in New Brunswick and British Columbia. Then there has been a contest in the courts as to whether or not they had the authority to so dominate the field in this regard, because it was not solely a question of Indian rights but a question of property and civil rights of the province.

All these issues make it necessary for me to have some hesitation with respect to giving carte blanche approval on second reading. I am asking, because of these things and because I think it is only fair that a full survey be made, if the parliamentary assistant will consider that the matter will go into committee in this regard and we can take them section by section.

Incidentally, as I read the legislation, how does the RCMP fit into the picture here? Where, in the determination, could it become apparent which bands have been consulted? Precisely whom has the ministry spoken to, and what accord did it get? Was there any degree of objection to the legislation or feeling that certain exceptions should be made? What were the nature of those? Where are the qualifications? I am sure they exist. I think that in order to be clued in we would have to go into committee to get a determination of that issue.

**Mr. J. Reed:** Mr. Speaker, I will be brief and address myself to two areas of this bill, since it is going into committee.

I would like the parliamentary assistant to be aware of the concern over section 30. It is my understanding that in committee an amendment is going to be discussed.



5:20 p.m.

I have an extensive letter from Mr. Hartley Sherk, secretary-treasurer of the Wentworth Beagle Club, regarding the field trial issue. I think the problem has been addressed by previous speakers. It is simply that these people who are using dogs for field trials need to have some opportunity to train the animals as well, and it would seem that the proposed amendment may address this. We will discuss it, of course, more thoroughly in committee and I will reserve judgement because we may want to make some other minor changes to the amendment. But if this amendment does address this problem and allows for training to take place, then I think that concern has been met.

I should like to comment too on the question of trapping and leghold traps. I know that my friends in the NDP are proposing an amendment that would expand certain restrictions near towns and builtup areas. I will be interested in seeing the amendment when it comes through. I would just like to make a comment to them that they give some thought to the question of how we handle animals that are multiplying in nature without the natural predators that exist farther away from the builtup areas. This is the other side of the argument.

I think of my own riding of Halton-Burlington, which is a rather distinct mixture of urban areas side by side or adjacent to very highly productive farm land. We almost have apartment buildings within a stone's throw of a corn field. This situation predominates in the riding. I am going to want to give some very serious thought to how this amendment would apply in that kind of situation and how a farmer can control animals that are multiplying virtually unchecked. They do not have the natural predators of the lands as in, for instance, northern Ontario or the more rural areas.

These things are of some fundamental concern. I can think of areas within a mile of a builtup area in proximity to where I live myself where, if muskrats were not controlled, they would simply take control completely. I think farmers should be allowed to continue to consider trapping as part of their harvest where that kind of thing exists. I personally would not use a leghold trap myself, and I am a very strong supporter of alternative methods of trapping. But I want to throw that in for your consideration: How near is near to a builtup area?

Then there was a comment made about somehow putting a restriction on the age of

a trapper. I am sure my friends are aware of what has to happen now, the process of obtaining a permit to sell pelts, if you like, which is done through the Ministry of Natural Resources. If a farmer wants to trap and if he wants to do something useful with the product of that trapping—which is the pelt—then he is required to get a number from the ministry which allows him to sell those pelts.

When a young person—presumably the son or daughter of a farmer—is following in the footsteps of the father, it seems to me that the age of maturity somehow relates to the way that youngster is brought up and taught and not to some chronological number that you can pigeonhole and say: "Well, that child has reached the age of 16; now he is entitled to trap. Under the age of 16, he is not responsible enough." I am well aware of children who at the age of 10 are responsible enough to perform very many functions that others at the age of 25 would not be responsible to perform. It seems to me that responsibility should remain with the farmer as the father and, presumably, as the teacher of the offspring. I would just like to bring up those points.

It seems to me that this bill is certainly worthy of our support. We are constantly concerned with the relationship between man and nature in a province that has become quite populous, especially in the southern parts, and the effect it has on fish and game. I can recall that many of the rivers in southern Ontario were destroyed so far as fish-containing rivers were concerned because of the damming of those rivers without regard to migratory fish. I hope that we have learned something since the early 1800s when this area was first settled, and that we have learned something our native people knew all along; that is, we are not here to do battle with nature, but we are part of nature. We are nature. We must take every possible precaution not to destroy it and ourselves at the same time.

You can fight nature for a while and think you are getting away with it, but sooner or later what you realize is that it is necessary to work with her. Everything we can do through the application of good legislation and the amending of legislation at the appropriate time helps us to recognize that responsibility is increasing as the years go on.

With those few comments regarding the concerns that have been expressed to me

by various people and the comments that were made by my friends to the left regarding their proposed amendment, I would say we are in support of this bill in principle.

**Mr. Cunningham:** Mr. Speaker, very briefly, I endorse this legislation, but I regret the time delay that has resulted in its not being passed earlier.

I am sure many members of the Legislature received an elaborate lobby—at least those of us in the rural communities received some elaborate lobby—from people who are involved in what I consider to be a very legitimate activity; that is, coon hunting and the training of coon-hunting dogs.

One of my constituents favoured me with an item of correspondence dated March 18, 1980, with the Minister of Agriculture and Food (Mr. Henderson), indicating that the government was aware at that time of difficulties in this legislation which would cause some tremendous difficulties for these people.

During the course of the previous session, I indicated to the minister, who unfortunately is not here today, that I thought this was a particular problem. We had a series of correspondence. It is not a particularly complicated matter, but here we are well into October now, some many months later, and this problem still remains. I know I cannot fault the parliamentary assistant because I know the role of the parliamentary assistant in that particular ministry. As well, I am very well aware of the role of the parliamentary assistant in this political process and especially in the government of the day at least.

I must say, very briefly, that I think the difficulties the people in this very legitimate sport have experienced will not be looked upon favourably by those people when the next election comes. This is a thing that could have been straightened out with very little difficulty whatsoever. I am somewhat disappointed we have taken the length of time we have to see what is primarily a very simple matter corrected.

**Mr. McGuigan:** Mr. Speaker, it is a pleasure to rise and speak to Bill 59 and to endorse the general principles of the bill, and to join my colleagues in complimenting the member for Etobicoke (Mr. Philip) for his contribution to this bill.

The only specific section I have any comment on is section 30, dealing with the training of dogs, and it has been mentioned by many people. Having owned a beagle

at one time and being an upland game hunter myself, specifically for rabbit, I just want to point out that beagles do not take the rabbits. A good beagle will circle the rabbit out and bring it back to the hunter. So in this connection I think these people have a legitimate right to ask for the right to train their dogs without any harm to the game.

Much mention has been made of hunting in the north; I certainly do not want to take away from that in any way, but I want to point out that hunting and fishing are also very active pursuits in southern Ontario, particularly at Rondeau Bay in my riding of Kent-Elgin. Rondeau Bay was until very recently one of the most prolific fishing areas in the world. I remember going south to Florida, to the St. Johns River, which is supposed to be the world capital of bass fishing. Talking to a fellow fisherman there, I asked him where the best place was to fish for bass. He said, "It is in Rondeau Bay," that is, only five or six miles from where I live. That used to be the case, but it no longer is.

The bill is very good in managing hunters and seeing that the fish are not overfished, but it seems to neglect the area of looking after the fish and game stocks. In Rondeau Bay, for a reason no one seems to know, we have lost the flora there, the milfoil in particular, and the bulrushes where the bass fish spawn and hide and proliferate. There seem to be very few research dollars to go into this, to try and find out the reason. It has been mentioned that perhaps it is due to pesticides. The Ministry of the Environment has been doing some work there, and they say it is not pesticides. The only possible explanation they seem to come up with has to do with colder winters.

My own fishing in Rondeau Bay has changed from fishing in the open waters with a worm, casting with a worm or casting with a lure, to going into the areas of the bulrushes. The reason for the change is there are no fish out in the open water any more. We find the only way we can catch one now is to go into the bulrushes with a different type of lure. It is a system that originated in the southern United States. I do not know the derivation of the word, but they call it dappling. This particular type of lure will go in among the bulrushes and will not snag, and it seems to be successful in bringing forth the odd bass.

Even though that method is successful, it points out the fact that the bass are retreating further and further into the natural habitat,



their numbers are growing less and the people who make their living—and there are a great many people who formerly made their living on Rondeau Bay guiding and putting on meals and accommodation and cabins and so on—are finding it more difficult to earn a living.

My plea is that more money needs to be put into these areas. The fishermen tell me they are willing to support a resident fishing licence, provided the extra money raised by that route is used for fish and game management. They exclude children or young people under 16 years of age and people over 65, but they do support the idea of a resident fee for people within the age bracket of 16 to 65, provided that money is used in game management.

I realize that money that goes into the consolidated revenue fund cannot be earmarked to be used in a certain way. Nevertheless, I think a commitment from the ministry and the parliamentary assistant that roughly the same amount of money that is raised would be used in these areas would be satisfactory for these people.

I would also mention that in our Blenheim-Cedar Springs area up until four years ago we had quite a nice population of bobwhite quail. I don't think it has ever reached the position perhaps where it would stand any hunting pressure, but on my particular farm, while out hunting rabbits in the winter, it would be common enough to put up a covey of 30 or 40 bobwhite quail. Regardless of whether or not one would want to hunt them, they certainly are a beautiful bird to see and they are a beautiful bird to listen to, especially in the spring of the year when they are calling to one another. Since the storm of March 1, 1978, we just haven't seen any bobwhite quail. It would seem to me that a restocking program, based upon the fact that they were wiped out by a storm, not by other environment conditions, would be a successful program.

We would urge that more be done in the way of managing this crop. I realize we would never get enough birds or animals to satisfy all of the hunters because, as birds or animals became more plentiful, there would simply be a corresponding increase in the number of hunters. Nevertheless, like any crop, as food crops are grown by farmers, I believe that our game should be managed by our Ministry of Natural Resources and that the best use of the environment and the support that we have there in the natural environment should be exercised.

I have one comment to make about moose hunting which was brought to me by a hunter friend of mine. While I can generally support the aims of the ministry to try to decrease the pressure on the moose and build up the stock, there is a certain question about the method of pairing hunters to one animal. It does bring up the question of when, on the first day of hunting, perhaps two people in a party of six shoot their moose. They tag the moose with their two names and then the four people are left to hunt moose.

That brings up the question of what happens to those two who have already got their animal. They are going to be confined to the camp with little to do, and the whole thrill and purpose of coming on the hunting trip has sort of been lost. I would suggest increasing the number of people to each animal taken as an alternative to the method of trying to control the number of moose that are taken. Not being a moose hunter myself, I certainly do not wish to appear as an expert in that field. I am simply passing on a comment that was made to me by a person who is an avid moose hunter.

With those few remarks, I commend the ministry for this act and will look forward to the committee stage.

**Mr. Isaacs:** Mr. Speaker, it is a pleasure to rise and participate in this debate and to commend the government for bringing the bill forward.

On second reading debate, we are discussing the principle behind this bill and, like the previous speaker, it concerns me a little that the bill is negative in its approach to problems. While I recognize that hunting, fishing and trapping have to be regulated in this province, there is very little we can take comfort in through the government taking a positive approach to hunting and fishing for the people of Ontario and for those who choose to visit Ontario from other jurisdictions.

When you are discussing game and fish management in Ontario, it is important to establish the guidelines under which the provincial government is working. I think we all accept that the provincial government has a legitimate role in wildlife management and in the stocking of our fisheries. No one is suggesting, at least to my knowledge, that wildlife management should be privatized, and thank goodness for that. But we are not seeing sufficient action from this government in terms of providing the recreational facilities through proper management of our wildlife resources and through proper man-

agement of our fish stocks. Unfortunately, this bill is going nowhere towards providing those recreational facilities and those stocks that are so desperately needed.

Like the previous speaker, I would urge upon the government a new approach to the problems that we face in these areas. If the government wants to direct its attention to the things that are being done in many European jurisdictions, both in terms of the stocking of fisheries and, perhaps more important, in terms of game management, I think the government will find that a lot of north European countries in particular are taking a much more positive approach towards building herds than we are doing in Ontario. I hope the government will take that to heart and come forward with some positive programs that deal with these very important issues.

Like the previous speaker as well, I have had concerns raised with me about moose management and about the control of the moose hunt in Ontario. There is no doubt that problems have arisen. There is no doubt that short-term controls are needed. But I think it's wrong for the government to pin all its hopes on very restrictive controls on hunters—controls that do not even seem to be fair, either to our Ontario resident hunters or to those who come from the United States.

Unless we get a positive program put in place to increase moose stocks, and to go back to a situation where there are sufficient moose, so that there can be fewer restrictions than there are at the moment, then we are going to see a further decline. Restrictions by themselves are not enough; we need positive steps to build up moose herds. I hope the government takes that to heart.

I want to deal, perhaps at slightly greater length, with the whole matter of trapping. I commend the government for including in this bill the provisions my colleague the member for Etobicoke persuaded the House and the government were of such value a few months ago. The restriction on leghold traps is of immense value and is an immense step forward.

There is no doubt, however, as the member for Halton-Burlington (Mr. J. Reed) indicated a few minutes ago, that there are problems in the way of control of wildlife by farmers in this province. Since my colleague's bill became law, a number of farmers have approached me to discuss these problems and to seek positive solutions. Muskrats and other aquatic or semi-aquatic animals are a problem for farmers in a lot of

the areas of this province, particularly those areas that surround urban communities.

In ridings such as mine, which is the suburban and rural fringes of the Hamilton metropolis, or in the areas that surround Metropolitan Toronto, or in the Ottawa or Windsor area, the problems are the same. The natural predators have gone and farmers feel very restricted in the methods they can use to deal with vermin.

The difficulty is that they are asking essentially for one law for farmers and one law for everyone else. Unfortunately, there is no longer a definition of farmer that is common across Ontario. While my colleague from Halton-Burlington has suggested that farmers perhaps need the right to trap in an unrestricted manner on their property, I suggest we cannot go forward with that kind of legislation because not all farmers are family farmers who have learned these things from their fathers and from their fathers before them. More and more of our farmers are tenants; more and more of our farmers are corporations; more and more of our so-called farmers are land owners who do not farm the land themselves but who are engaged in some way in the production of crops or livestock on that land.

We cannot write into legislation that farmers should be exempted from provisions for humane trapping which are important because of our basic humanity. If it is necessary that there should be humane trapping in Ontario, as I suggest it is, then it is necessary that that requirement should be imposed uniformly across the province.

If our farmers are having problems, as indeed they are, then rather than permitting them to use leghold traps on an unrestricted basis, we should be finding the mechanisms by which they can control the problem.

I recognize that those who are engaged in professional trapping are a class apart. They are licensed and they are permitted to continue, as they have been and as I hope they always will be. But farmers in southern Ontario are not generally licensed trappers. They are generally not trapping for the sake of gathering pelts but are trapping for the sake of removing an excess population of problem animals from their property.

They should not be exempted from the requirements of humane trapping on their land because, even if they are, the adjacent land may be vacant, may not be farmed or may be owned by a developer and will still be a breeding ground for the vermin that are causing the problem for the farmers.



What we have to do, and where the government should be directing its attention, is to put priority on the development of methods that will ensure that excess rodents can be dealt with by licensed exterminators and in many cases by the farmers themselves in a humane manner and in a manner that ensures there will be no danger to those who enter upon the farm land or to those who might come in contact with a trap that has drifted free from its original setting place.

In that regard, I am sure the parliamentary assistant and certainly the minister will recall the incident of the leghold trap that was found floating essentially freely but, nevertheless, set in the Redhill Creek within the urban limits of the city of Hamilton. Those kinds of things should not be allowed to happen. We should not have traps set by unlicensed persons. That one was set by an unlicensed person, because there are no licensed persons operating trap lines within the city of Hamilton. We should not have traps set by unlicensed persons that can cause a hazard to human beings or to domestic pets.

We should be giving this a priority. Instead of trying to write laws that deal with every possible circumstance, we in this Legislature should be saying to ourselves there is a problem facing farmers today in that animals, particularly muskrats, are becoming a very serious problem on farm land adjacent to urban areas. We should be finding positive mechanisms by which that problem can be dealt with. The problem of those excess numbers, sometimes staggering numbers of muskrats, is not a problem that is caused by the farmer. It is caused by the urban development and everything that is going on in the area.

5:50 p.m.

I understand the farmers' frustration and I share that frustration, but the problem is not solved by allowing completely unrestricted trapping using any kind of trap that the farmer might come up with or might have had around for years. It is not solved by allowing that kind of thing on farms in those suburban and urban fringe areas. It is solved by coming to grips with the problem of excess vermin.

I hope the government will give that some attention, and I hope it will give it some positive attention. We might even need some special programs to deal with the menace that is created to our farmers. Unlike the member for Halton-Burlington, who I think was suggesting that we deal with it by allow-

ing unrestricted trapping by the farmer on his own farm, I suggest we still need the restrictions for some kind of humanity and some kind of security for domestic pets and human beings. We need that security, even on farm land, and the problem needs to be addressed by the government in a much more positive way to ensure that the problem is removed so that these animals, which are multiplying in an uncontrolled manner, do not continue to bother farmers as they are now doing and have done during the decades of urban growth we have seen in this province.

I commend the government for the bill, but I still feel it is a little too negative. What we need are more positive programs, both in the game management, in the fish stocking and in the protection for our farmers from excess numbers of what I can only describe as vermin. Those programs would be a help to citizens of Ontario, rather than just being more restriction and more government red tape.

**Mr. McKessock:** Mr. Speaker, I am pleased to rise to speak on this bill for a minute. I am pleased that the government has allowed the coon hunters to legally train their dogs outside of the season for coons, but I also feel there are some parts that are missing in this bill. One is, as several other members have mentioned, the fishing licences that could be brought forward to allow more money to be put into the area of restocking fish, if this money was used for that purpose.

We could have something in legislation to not allow the fish population to deteriorate below certain levels without having it brought back by restocking. The government has not exactly been co-operative with associations like the Ontario Federation of Anglers and Hunters, and the Sydenham Sportsmen's Association, who are trying to determine the extent of the deterioration of the fish population, how to restore it, and how to get back the population we had at one time. Of course, some of the problem is overfishing, not all by sport fishermen, but by commercial fishing.

I understand it is the Ministry of Natural Resources' policy to give only yearly poundage figures for commercial fishermen, which really is not of much value if we are trying to determine where the fish are caught and at what time of year. If these figures were available monthly and were given for each commercial fisherman, and included where the fish were caught, we could determine if these fish were being

caught near the planting area. The ministry could determine the movement of these fish so they could stop some of these splake being taken by the commercial fishermen. Supposedly the commercial fisherman is not out there fishing for splake; he's out there fishing for something else. But if he catches splake, he's allowed to keep them.

I would request that the government bring forward these commercial fishermen's poundage figures monthly, rather than annually. In this way we could maybe determine how much splake is being caught in what area and thereby either place the fish in another area or steer the fishermen away from certain areas where the splake are.

With those few comments, I want to support this bill.

**Ms. Bryden:** Mr. Speaker, this is a very detailed bill, and it is certainly time that we did update our legislation protecting our fish and game. But we all realize that in so doing there are a number of conflicting interests, and it is our job to balance off the concerns of various groups of people in order to get legislation that will protect our game and fish and the interests of the different groups concerned.

There are the hunters and anglers, who have one concern: to have good recreational opportunities. There are the farmers, who are concerned with the damage that wildlife can do to their crops. There are the native peoples, who have certain aboriginal rights to hunt and fish, and whose rights must be protected. There are the people concerned with the preservation of wildlife and its role in our ecology. And, of course, there are the people concerned with the humane trapping of animals.

I would like the minister or his assistant to assure us that all those interests are adequately protected by this legislation. Particularly, I am concerned about endangered species. I hope the legislation is adequate to protect those species and that the regulatory power will be used where a species does appear to be seriously endangered.

As the member for Beaches-Woodbine, my main concern with wildlife is chasing raccoons out of the chimneys and attics of my constituents' houses or assisting them to chase

them out. But I think the people in my area do welcome the humane trapping legislation, which was instigated by my colleague the member for Etobicoke and which has become part of this bill. I am very glad to see that it has become part of this bill.

I do not think it goes far enough, because there are certain exceptions to it, but it is certainly a step in the right direction. It does give the government power under the regulation to define what is humane trapping and to educate people, particularly trappers and farmers, who are allowed to use traps under certain circumstances, in the best methods of humane trapping. I welcome that part of the bill.

I also welcome the increase in fines in the bill. I think we have to get serious about protecting our wildlife and our game and fish generally and about developing them as a resource for general recreational purposes and for our tourist industry.

I am pleased to support the bill as far as it goes, but I hope that in committee we will make changes to tighten up some of the points that have been raised. In particular, I hope the government will consider the two recommendations which the Ontario Federation of Anglers and Hunters have proposed and sent to all members of the Legislature: that is, regarding the status of guides hired to search for game with their clients, and regarding the addition of areas inhabited by moose and bear to section 29(1).

There are other concerns that have been expressed by my colleagues, and we will be waiting to see whether the government brings in some amendments on those topics. If not, we will be considering some amendments of our own.

I will be supporting the bill on second reading.

**Mr. Deputy Speaker:** Will the honourable member for Port Arthur take more than a minute and a half?

**Mr. Foulds:** I will take more than a minute and a half, Mr. Speaker.

On motion by Mr. Foulds, the debate was adjourned.

The House recessed at 6:02 p.m.



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# **Legislature of Ontario Debates**

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, October 7, 1980  
Evening Sitting

Speaker: Honourable John E. Stokes  
Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, OCTOBER 7, 1980

The House resumed at 8:04 p.m.

## CHILDREN'S LAW REFORM AMENDMENT ACT

Hon. Mr. McMurtry moved second reading of Bill 140, An Act to amend the Children's Law Reform Act, 1977.

Hon. Mr. McMurtry: Mr. Speaker, when this bill had first reading in December 1979 of the previous session and again in June of this session, I reviewed the highlights of the bill for the members. Therefore, I do not intend to make a lengthy statement this evening.

The bill deals generally with custody of children. Therefore, as we are now seeking approval in principle, I am pleased to have the opportunity to speak to the bill, for as stated in section 26, the principle we are talking about in this legislation is the best interests of the child.

I cannot believe there is anyone among us who would deny that the best interests of the child must be the focus of any private custody dispute, but the truth of the matter is that until the Family Law Reform Act, 1978, the phrase "the best interests of the child" did not appear in our legislation governing private custody disputes. However, the provisions of the Family Law Reform Act dealing with custody provided only the starting point in our program to protect the best interests of the child.

It has always been our intention to bring forward the extensive reforms contained in this bill, so I am pleased that Ontario will have at last a comprehensive statute based on the best interests of the child. While it is easy to subscribe to the best interests principle, it is not so easy to express it in statutory form. As I have mentioned on previous occasions, the best interest principles are reflected not only in the guidelines we have provided to assist in applying the best interests standard, but also in the many procedural and enforcement provisions throughout the bill. However, just as the law has always recognized that custody orders are never final, we have tried to avoid undue rigidity.

Law and practice in child custody cases have developed rapidly in recent years. It has been our task to give a statutory base for some of the most important developments to date, while leaving open the way for further developments in the future. Those who have taken the time to comment on the bill have generally been supportive of the principles we have adopted. Certainly we have no reason to believe there is any major concern about the principles of the bill.

Perhaps it would be appropriate for me to indicate to the members at this stage that the justice critic for the official opposition has indicated that the party would like this bill to go to committee. I want to indicate at this time that I am quite prepared to concur with that request.

I would like to take this opportunity, however, to clarify one or two matters. During the constitutional discussions over the summer on family law, it was sometimes stated that unlike most other provinces, Ontario does not have legislation for reciprocal enforcement of custody orders. In fact, no province in Canada has legislation respecting reciprocal enforcement of custody orders. Many provinces have acted unilaterally to adopt the Uniform Extra-provincial Enforcement of Custody Orders Act, under which the enacting province recognizes custody orders made in another province, regardless of the recognition given in the other province to orders of the enacting province.

Ontario has not adopted the uniform act for two reasons. First, Ontario courts have generally acted on the principles of the uniform act even though it is not in force here. Secondly the Uniform Law Conference of Canada, realizing the inadequacies of the uniform act, had asked Ontario to make recommendations for revising the uniform act. The provisions in our bill concerning children resident outside of Ontario are based on Ontario's recommendations to the uniform law conference.

Accordingly, it is our hope that the provisions of our bill would become the model for all the provinces to follow. In this context I would like to mention that this week our Deputy Attorney General, Dr. Allan Leal, is attending the Hague conference on private

international law where it is expected that a convention on the civil aspects of international child abduction will be completed. As head of the Canadian delegation, Dr. Leal has been authorized to ratify the convention on behalf of Canada. The provisions we have adopted in our bill will help to pave the way for Canada to accede to this treaty of historic importance.

Although we look forward to early passage of the bill, there will be some months before we request proclamation. It is anticipated that the rules committee of the Supreme Court and the provincial court, family division, will wish to amend their rules of practice to accord with the bill. Therefore, some time will be provided for them to complete their work.

8:10 p.m.

In addition, we are aware that in British Columbia a question has arisen concerning the jurisdiction of provincially appointed judges to deal with custody matters. An appeal will be heard by the Supreme Court of Canada this fall, and we intend to intervene. In our view, the jurisdiction of provincially appointed judges to deal with the person of a child was established in Ontario prior to Confederation and that jurisdiction continues to exist. Nevertheless, proclamation of the bill would not be sought until the Supreme Court of Canada renders its judgement.

As a result of our continuing review of the bill over the summer recess, I will be recommending a few minor amendments when the bill is in committee. The justice critics will be provided with particulars of those amendments as soon as possible, and I am afraid at this point I am not in a position to provide the justice critics with copies of the proposed amendments. We will be recommending that a \$5,000 limit be placed on the amount that is payable from any one source directly to the parents of the child. We will also suggest that the appointment of the testamentary guardian or custodian be followed by a formal application for a court order within a reasonable time.

In conclusion, I hardly need remind the members that no legislation will ever be able to eradicate completely the traumatic consequences for the child when his family is disrupted. What we have sought to do in this bill is to ensure that in those irreconcilable cases where the parties feel they must come to court, the procedures and expectations are clearly set out in our laws so that the case can be decided in an orderly and expeditious fashion. We may even hope that

our clear concern for the best interests of the child will encourage the parents to reconsider their decision to go to court and to renew their efforts to reach an agreement wherever feasible.

This bill represents the most comprehensive effort anywhere in Canada to come to grips with the problem of disputed custody. I look forward to the support of all members of the Legislature in furthering the best interests of children in Ontario.

**Mrs. Campbell:** Mr. Speaker, I would like to commend the Attorney General for introducing this bill. Obviously, there is no one in this House who would be opposed to its principle. There are difficulties, however, with the bill, and it was for this reason that I did ask that there be consent to the bill going to committee. I should be happy to move the bill to committee at a suitable time.

One of the sad things, of course, about a bill of this kind comes in the very interpretation section because it delineates the real problems in dealing with custody and access and so forth when you have to define a court as one of an infinite number of courts dealing in the same field. Unfortunately, no one can do much about that with this kind of a bill or at this time. But I do hope that as the Attorney General is discussing these matters abroad—in Canada; abroad from the province—some kind of resolution may come so that we have fewer courts dealing in the same area.

I am grateful, however, that in this bill the position of the provincial court, family division, is fairly well set out. There certainly was a great deal of concern in that court, for a period of time at least, as to their jurisdiction in custody matters, in view of all the other courts of superior jurisdiction dealing in the same field. I am delighted that at least is clarified.

There are very serious concerns expressed by those who have followed this matter for some time, and I am referring to the association known as Justice for Children.

There is a concern that we are referring orders in enforcement to both sheriff and police. It is perhaps a step forward from the battered wife situation, but as long as the sheriff is in this position it seems to me we may have problems with the police still in the enforcement of order, notwithstanding that the orders may be directed to the police. These are matters which I think would have to be thoroughly reviewed in committee.

The Attorney General has made reference to the Hague convention and I am a little



puzzled about the terminology he used, I thought we were not speaking of a ratification but of a signing, and a signing by Canada on behalf of Ontario only. However, if it is ratification, so much the better. But I think the opportunity should be accorded the committee to review the proposed Hague Convention in conjunction with this statute so that when that amending legislation is introduced by the Attorney General we will be sure it isn't at odds in any point with the balance of this statute.

Just for the purposes of the record, the Liberal caucus has endorsed the position of the province in moving towards signing or ratifying, whatever it may be, the Hague convention on child abduction because it is serious and important in our eyes. While we have some regrets that we can't go further with it, at least we know that steps are being taken in a very important field.

I would personally express some concerns about what seems to me to be the incorporation in this bill of the guardian ad litem type of procedure. I have not personally felt that has been too effective where it has been used in the past. That is not in any way to speak in denigration of those fine people who have served in that capacity in the courts. I think that type of intervention may not be strictly in the guardian ad litem definition but it is that type contemplated here that I think we have to investigate more closely.

There is also a great deal of concern as to the role of counsel as provided in this bill. So there are a number of areas that I feel can usefully be pursued in committee and it is helpful to me in shortening my discourse on this bill at this time.

**Mr. McClellan:** Mr. Speaker, I am pleased to indicate on behalf of our party support for the principle of the bill on second reading. I approach this debate with a certain amount of trepidation since it is not an area where I have any competence, particularly from a legal perspective and also because we are dealing with a matter that requires the wisdom of Solomon. It was, of course, a custody case that Solomon was involved in which gave him his reputation.

The purposes of the bill are purposes that we can heartily endorse—that custody decisions be taken on the basis of the best interests of the child, that as much as possible we avoid the concurrent exercise of other jurisdictions, that we discourage the abduction or the kidnapping of children and we achieve a more effective enforcement of custody and access orders.

8:20 p.m.

I am pleased to have heard the Attorney General say he would be referring the bill outside to committee for hearings because I think that would be the way to address a number of concerns we have as to whether or not the purposes we heartily support can actually be achieved by the mechanics of the legislation. If I may just very quickly go through what some of those concerns might be, perhaps they will help the Attorney General to prepare his own response, when we get to the hearing stage, and alleviate some of these concerns.

Starting with the best interests test, I am particularly pleased to see the first best interests test is to be the love, affection and emotional ties between the child and whoever will be awarded custody. I think on the whole the rest of the interests test, as enumerated in the bill, stands up very well. I would raise a concern about 31(2)(d), having to do with the capacity and disposition of each person applying for custody of the child to provide the child with guidance and education, the necessities of life and any special needs of the child.

I would express the hope and the concern that that had nothing to do with the respective wealth of one or the other of the parties. I would hope we could have some discussion of that in hearings because, as it reads, I think it lends itself to the suggestion that the possession of wealth for the purpose of providing the things enumerated could be interpreted as a criterion. I would hope that is not the case.

We are also pleased with the provisions in the bill that end the delays that have plagued the disposition of custody and access matters before the courts.

Let me then just set out a couple of concerns. It is not clear to me what the role of children will be under the terms of Bill 140. Surely they are not full parties before the court as the contestants are. It is not as clear as it is in the Child Welfare Act, for example, what the precise role of the child will be in a custody or access hearing; neither is it clear what the entitlement for legal representation would be; neither is it clear what the role of the lawyer would be in a custody and access hearing.

Perhaps these are things that don't have to be spelled out, but we have spelled them out with some degree of precision in other legislation that affects the rights and well-being of children. I would like some discussion of that matter.

When we look at the mediation process in Bill 140, again I ask myself what is the role of the child? It is clear what the roles of the parties are, but it isn't clear to me, at least on reading the bill, whether the child has the opportunity to express his or her views and preferences during the mediation process or not or whether the mediation process is something that is limited to the points of view of the parties. I would like some clarification on that.

I would like some clarification as to the precise duties of the mediator. Again, I have no legal training and virtually no legal understanding of any kind whatsoever. It may be that a lawyer would understand, without having to have it explained or set forth in a statute, what the duties of a mediator in a mediation process of this kind might be, but I don't get any clear sense from the statute what precisely the mediator is going to be doing during the mediation process.

The assessment report under section 37 gives rise to a concern because it is not clear in the statute what happens to the assessment report. It does not appear there are any provisions to safeguard against the possible misuse of confidential information. For example, the Child Welfare Act requires that records be sealed. There are no strictures as to the terms and conditions under which this privileged information can be released, and I think that needs to be discussed. These are, of course, relatively minor concerns.

I think the real question before us is: Will this bill end kidnapping or not? Will this bill be an effective way to stop the kidnapping of children? We can only hope it will. I understand the incidence of child abduction is really quite astronomical. I have no way of assessing the figures, but an estimate has been made of as many as 10,000 children a year in the country. I find that hard to believe. The estimate was made by a member of the federal Parliament. I do not know whether the Attorney General may have more reliable information. That figure does seem to be incredible, but I gather it is a problem of enormous extent.

The effectiveness, it seems to me, of the enforcement mechanism will depend on our ability to deal with the second purpose, which is to end concurrent and overlapping jurisdictions. Again, I would like when we get to hearings to have a clear discussion in layman's terms, if I may, of the reasons Ontario has not signed the uniform enforcement act, and why there would continue to be under this statute a requirement of a court appearance in order to obtain an en-

forcement order for custody and access orders made in other Canadian courts in other provinces.

I am speaking from ignorance, but I find it quite mystifying that a Canadian court in Manitoba, British Columbia, Alberta or Newfoundland is regarded as a foreign jurisdiction for purposes of this act. As I understand it, such a court basically would continue to be regarded as a foreign jurisdiction. I understand there are some modifications and that the court appearance is not necessarily obligatory, but I do not understand the nuances involved, and I would like to have those made more clear. I confess to not having understood what the Attorney General was saying when he made his introductory remarks here this evening.

I would hope that it would be possible under this statute or in companion legislation to move to a position where at least within Canada all courts are accorded equal status, and all custody and access orders are enforceable on the basis of mutual agreement without the necessity of additional court appearances.

When we get to committee, I would also like to raise the question of the enforcement mechanism. I think many members have probably received a brief from a group called Abducted Children's Rights of Canada. It has expressed some concern as to whether the enforcement mechanisms are sufficient, particularly in the kind of emergency situations which abductions often involve. The suggestion made by this group is that there be a special and particular enforcement mechanism within the office of the Ministry of the Attorney General.

First, there should be a simple registry of custody orders—I assume on a Canadian basis—enforceable by the Attorney General. Second, there should be a central bureau within the Attorney General's ministry which would have the power under section 44 to enforce those orders quickly. Again, I raise that for purposes of discussion and look forward to being able to pursue that when we get into the hearings.

8:30 p.m.

Concern has been expressed to me about the penalty clause, as to whether a fine of \$1,000 for kidnapping a child is really adequate and whether it really serves as a deterrent. Again, we will discuss that.

Finally, there is the question of the redefinition of guardianship. Traditionally, guardianship has been a concept much broader than it is in Bill 140. In Bill 140 the notion of guardianship is limited to



property rights and to safeguarding the child's estate. I do not understand why this is done. There are many instances when a guardian also has custody. I assume, therefore, it would be necessary for the guardian to take the additional step of obtaining a custody order. Again, I am simply raising this for purposes of discussion and clarification when we get to committee stage.

On the whole, we are pleased with the legislation. I believe it is genuinely progressive legislation. I think the best interests test is the best route to go. It follows initiatives we have taken in other legislation, particularly in the Child Welfare Act, and we look forward to pursuing these matters once we get to committee.

**Mr. Sterling:** Mr. Speaker, I am not going to speak for very long tonight because I expect to participate in committee when this bill goes out to the justice committee. I look forward to that time to go through some of the concerns that have been raised by the two members opposite, because in this area of law we are dealing with a very difficult problem. As we go through each section in committee, I think we should be most aware of the practical effects of the changes which we might propose or once we endorse the legislation as it now stands.

As a family lawyer who has had some experience in custody cases, I can say it is probably the hardest type of law to practise. It is perhaps the most emotionally exhausting kind of legal situation that you can be involved in. It is very difficult to be objective in terms of your client's feelings and what is, in fact, decided by the court. Unfortunately, there is usually one loser and one winner in those cases.

I hope the spirit of the committee will be similar to that of the committee which dealt with the Family Law Reform Act. From my discussions with the Attorney General, I think he will have an open mind and listen to constructive suggestions from opposition members on ways to make this bill a good practical document so the public can work with it.

I would hope that once this becomes law, it will be included with the Family Law Reform Act in terms of the educational process that the Attorney General has gone through with that document. I believe the Attorney General has distributed more than one million copies of that red booklet, the Family Law Reform Act.

The member for Bellwoods pointed out the importance of trying to explain the act in layman's language, which will be very neces-

sary in addition to the booklet the Attorney General's office produced on family law. I hope those two documents, perhaps in a future edition, can be combined so someone who is dealing with family law might have access to this document as well.

Of course I will support the bill, and look forward to the committee sittings when we will be discussing these issues more in depth.

**Mr. Lawlor:** Mr. Speaker, it is almost a pleasure to speak well of a piece of legislation. The last few pieces emanating from the Attorney General, as he well knows, I have found not altogether palatable. As a matter of fact, certain pieces of legislation of which he is aware would make an aborigine weep, and that stands today as well as any other time.

In 1977 the Legislature passed an act to reform the law respecting the status of children, which is chapter 41 of the statutes. This concerned the areas of illegitimacy, the establishment of parentage and presumptions as to paternity blood tests and that sort of thing. That was the first of a series of legislation directly related to children and oriented around the family circumstances, all of which legislation has been long awaited and, I am pleased to say, shows great humanity in its enunciation and in its penetration of the problems involved here.

In 1978, we passed the Family Law Reform Act and it had to do with support obligations for dependants and problems in division of property. Now we have before us a further step, and probably not the last step. I am thinking of a greater articulation of the rights of representation of the children in court. It is mentioned in this legislation tonight, but not as I see it, spelled out. There isn't sufficient clarity as my colleague has indicated, as to precisely the role of the child in a courtroom and its rights and obligations.

It is a matter that has been thrashed over a great deal, particularly vis-à-vis the federal government on juvenile delinquency and the role in the criminal side, if you can call it that, or the role of the side of injuries as adjudicated through the federal legislation. That isn't finally determined, so there remains a fair amount to do in this particular regard, but the job has now been substantially finished and it is highly commendable that it should be so.

I want to refer to the report on family law of the Ontario Law Reform Commission, part three, children, of 1973. At page 195 it says:

"In 1923, An Act to amend the Infants Act was passed and it was at this point that the statute law of guardianship and

custody assumed substantially the form in which it appears today. First, the father was given a right to apply to the Supreme Court or surrogate court for the custody of or access to his child. Secondly, the power of a father or mother to make testamentary dispositions of guardianship was apparently removed. Thirdly, and more importantly, a declaratory provision was enacted to the effect that 'unless otherwise ordered by the court, that subject to the provisions of this act, the father and mother of an infant shall be joint guardians and shall be equally entitled to the custody, control and education of such infant.' Fourthly, parents living apart were expressly empowered to enter into a written agreement as to which parent should have the custody, control and education of their children."

That act has come down within the provisions of the Infants Act, et cetera, and it is the Infants Act that is being substantially or fairly radically replaced tonight in terms of the legislation before us.

The notes that have been provided by the Attorney General are quite helpful in regard to the legislation. I intend to spend a few moments making some comments on them.

8:40 p.m.

On page three of those notes it says: "To meet these problems, the proposed legislation bases the right to custody not only on the status of the parent but on the functions of a parent. Thus, the legislation provides that where the parents are living separate and apart the parent with whom the child resides may exercise the rights of custody free from interference by the other parent until there has been a formal resolution of custody issues. The rights of the other parent are not terminated, but only suspended, pending a formal resolution. A right of reasonable access continues."

That is a new provision in the legislation and is highly beneficial because, as things stand, there is an indetermination as to who has the custody of the child. When one of the parents seizes the child, who is in the dreadful abduction situation that this legislation goes some distance in trying to obviate, there is not any reposed right but only an assumption of custody on the part of the parent with the child. The parents are in a state of complete equality. One parent who has not been particularly parental and has not been doing very much in terms of support or even attention to the child, nevertheless, under our present law

continues to enjoy equal rights to that parent who has dedicated himself or herself to the child.

The law will now say that that parent's *de facto* right becomes something higher than that and the right of the other party is placed in suspension until a determination by the court. That gives an added weight or gravamen to the party with the child. It says: "This provision will also deter kidnapping by the parent who does not have custody and will help to stabilize the child's environment while his parents resolve their differences."

On the business of applications in custody proceedings, it says: "Under the Family Law Reform Act, it appears that any person can apply for custody. Nevertheless, the best interests of the child must always be served. Legal barriers which arbitrarily limit the range of potential applicants would likely be detrimental to the best interest of the children. For example, a step-parent or relative, with whom the child has a strong bond of affection and respect, should be entitled to apply." As things stand at present, that is not the case, except perhaps in the Supreme Court under a legal doctrine called *parens patriae* in which they may come in and be given some recognition and status.

Now we have drawn the gamut quite broad as to who may have eventual custody of the child. It need not be either of the parents. For the first time that is being given recognition. It says: "To the child, the fact that the person has fulfilled important parent functions may be more important than such factors as biological relationship or financial support. The biological relationship is more appropriately considered as a factor to be weighed in determining the welfare of the child than as a necessary condition for custody."

Then we go into a whole series of guidelines. Again, one can't help but give credit to those who drafted this legislation and to the law reform people who worked it over and made the initial presentation as to the eight or nine grounds or criteria that should be taken into consideration by a court in determining who shall get custody of the child and all the various circumstances therein.

The first one is the love, affection and emotional ties. The second is parenting ability. "Within this factor," the report says, "the courts may consider the mental and physical fitness of the parties, their ages and their financial stability" and many others.



"It should not be possible for one party to buy the custody of the child because of an ability to provide luxuries to the child. The standard of living of the child is more appropriately dealt within support proceedings."

The third one is continuity and stability of home relationships, that is, "a stable, satisfactory environment and the desirability of maintaining continuity. This is a very important factor. No matter how much love another person is willing to lavish or how much intellectual stimulation he will provide, the continuation of already established relationships is of the utmost importance to the child. The child who has formed a confident, close relationship with a parent tends to show a great overt upset when that bond is broken." It goes on in that vein.

There are also the relationships to other members of the family. Sibling rivalry is mentioned. So be it. It says it is better for the child to remain in the context of a family relationship even if it is somewhat strained at times. That does contribute to human growth too, to have the odd strained relationship now and then. Half the maturity of this House is predicated upon our quarrelsomeness in this regard.

The fifth point is the competing parties' plans for the child. The merits of any plans proposed for the future for the care and upbringing of the child should be considered. The whole range of future possibilities must be weighed in the balance and brought in as a definite consideration in reaching a conclusion as to what the best relationship is.

The notes do talk about natural parentage and the biological relationship and give it very considerable weight relevant to the best interests of the child for the long term. Although the blood ties of a child seem to be of little significance when the child is quite young, it is increasingly recognized that biological relationships are important in the late psychological development of the child. Shades of Piaget who, by the way, died just recently in the last few weeks. His whole idea of the multiple stages of growth through which children go and his demarcations of these numerous stages transformed child education and child psychology in our time. This legislation gives some cognizance to that, and again that is highly beneficial.

Another consideration is the views and preferences of the child itself. Perhaps that is not too well spelled out in the legislation as yet and we should consider making it somewhat clearer. The notes talk in this particular area about the presence of the child in the courtroom, the privacy to be afforded

to the child, and, if the child can make any contribution at all, the advisability of a consultation with that child.

I think the tendency now is, if the child is under seven, not to consult with or speak to the child. Some judges have a deliberate policy of not doing so, which, as the legislation would indicate, is quite wrong. If a child is able to grasp the issue at all, then that child should be spoken to in privacy and without the embarrassment or the weight of a courtroom present. Then we get into this whole business of whether the child should have representation at the same time and the conditions and terms upon which that may be done.

The conduct of the parties is an interesting thing which stems from critical moments we had in the Family Law Reform Act. I would make reference to the notes here:

"In the past, a single act of adultery was considered as evidence of parental unfitness, disentitling the parent to custody. In fact, the incident of adultery may have had little bearing on the marriage breakdown and even less effect on the parenting ability of the guilty spouse. Implicitly the court adopted the principle that conduct of the parent not directly bearing on the welfare of the child should not be considered in a custody determination.

"However, failure to recognize that principle in legislation may create uncertainty, particularly as to whether any form of parental conduct whatsoever should be considered. At the same time, inclusion of parental conduct into the legislation without qualification will, in reality, leave open the opportunity for spurious and irrelevant allegations of misconduct which contribute to the bitterness of disputes and prolong court proceedings."

Again, this is a major contribution to the efficacy of this legislation and a contribution to society as a whole in terms of peace and in terms of accommodations that should be reached so that we do not live *Kramer* versus *Kramer* situations over and over again. The bitterness engendered and the artificialities of the legal profession in bringing about these acrimonies are completely unnecessary and run directly contrary to the intent of all involved in the thing.

8:50 p.m.

There are three elements and, as my colleague says, I am not quite sure if we are very clear on sorting them out. In divorce proceedings and in matters of this kind, the official guardian has played a major role. That is a very costly procedure, and the

investigation is quite in depth. As I see it, part of the intention of the legislation is to lift that a bit and not place such a burden on that office in this regard.

So independent assessors are brought into the picture. The remarks on that point say that under the present scheme, custody proceedings too often become a contest between the experts testifying on behalf of the opposing parties. The court-appointed expert could also assist the court in balancing the conflicting opinions of the parties' experts and maybe even replace it. Maybe over a period there would be a general acceptance of this assessor having a quasi-official status, making it easier, speedier and infinitely less costly with respect to the determination of the custody or guardianship proceedings involved.

Mention is made of the time factor. The remarks are sensitive in this regard and worthy to be placed on the record for the future and for whoever may peruse this legislation through the auspices of this House. They say:

"A child's sense of time differs vastly from an adult's sense of time. A five-year-old child who has had to wait a year . . . for the final determination of a custody dispute has spent 20 per cent of his life in a state of conflict and uncertainty. The psychological impact of such a disruption can have serious repercussions on the child's emotional wellbeing. Accordingly, in legislation that focuses on the best interests of the child, every reasonable attempt must be made to ensure that a final determination of custody is made as quickly as possible.

"The primary source of delay is the parties themselves who either become embroiled in tactical battles and legal manoeuvring or who wish to continue existing on interim orders. Accordingly, it is recommended that a final disposition of custody matters be made within six months of the commencement of proceedings, and where the case has not been heard the court will be empowered to call the parties before the court to explain the delay and to impose conditions for ensuring that the parties proceed with the case expeditiously, not only with this focus, the attention of the parties and the court in the interest of the child, but also it will discourage the parties' commencing applications for custody until they are fully prepared to proceed."

Then there is a section on joint custody. Rather than award custody outright to one or the other and give access to the other party, which puts the other party in an inferior

position with a real, in terms of law, and psychological sense of being in a secondary position and not having the same range of rights, the use of the joint custody concept means the child need not necessarily be in the physical custody of both parents, and can be in the physical custody of either one or the other from time to time, but the other party enjoys substantial rights and continuing rights with respect to the determination of the physical welfare of the child, his religious education, his education generally, the whole role of the spiritual and the custodial life of that child, and does not lose it. So this legislation gives a wider ambit over the present law in this regard.

The third area is mediation—to spell out, I suppose, times and places of access, the details of any dispute as to, say, education that arises between the parties. It is an attempt, in the first instance anyhow, outside the courtroom and the time consumed, to reach an agreement between the parties on a more or less informal basis.

An interesting feature in the legislation, and I wonder whether the Attorney General is going to get any dispute about this, is the use of government records as a tracing mechanism. This has arisen before under other legislation and, as I recall, there was a certain querulousness in the House about the use of what is usually considered confidential government information, except in order to obtain a redress, to find out where the guy is, if he is escaping his orders to pay alimony, or what not. I think that was the context.

Let me be quite frank: I certainly have no objection to it. It is submitted to the court, it is up to a judge to make the determination of the disclosure and the information. It would be very restricted, I would take it. It would simply locate somebody who has seized a child and is hiding the child somewhere in Ontario and you could trace him down through the government records.

Of course, under our constitution, the law won't have access to the real source of such information—the income tax is probably the best place to get the dope—but the province has its own liaison with the federal government in this particular way and through the income tax imposed by the provincial government itself. So I suppose a good deal of the information in this regard, and the tracing mechanism, would be available.

The use of the police force. It is hoped that while there is a lot of recalcitrance these days on the part of police forces coming into these matters—claiming that the orders they are operating under are not necessarily court



orders, and even if they are, are unclear, and that thirdly, they are not acting and do not wish to act in civil capacities, et cetera—the government's investment of authority in them and reposing of responsibility in order to carry out these orders is a major step. Numerous people have appeared at the Attorney General's offices with the member for St. George and myself in the past, in a different capacity again, having to do with assaults in that instance, but also in the response to the police in delivering documentation in case summonses, or in this case, some form of court notice in order to assist in bringing the custody matter before the courts.

I would wonder too about the restriction on passports, being a federal thing. Does the Attorney General feel he is justified in having a judge ask that the passport be surrendered? Anything that can accomplish a just end, but nevertheless, there seems to me some niggling difficulty in that particularly context, on which he might run into some trouble if someone contested the validity at least of that section involved in his legislation.

As I said at the beginning, this goes a long way to winding up a whole vast area of legislation which has been coming for almost 10 years now. It is welcome and I congratulate the minister.

**Mr. Renwick:** Mr. Speaker, I don't intend to go on at any great length this evening. My colleagues and others in the debate have undoubtedly dealt with the particular points that come readily to mind.

I may say in approaching this bill I have the sense it is a good lawyer's bill in that it has tidied up from a lawyer's concept of the world some of the problems in connection with enforcement of custody orders and a whole host of other problems. But I don't think we should be under any illusion that it is other than a lawyer's solution after a great deal of thought and cogitation about the fundamental problems involved.

9 p.m.

Indeed, one can quite readily see that the process as established by this bill will never be subject to the comparative test of whether it is better or worse than any other bill or the other procedures that are at present in force because there is no standard for making that kind of comparison. In a very real sense, one has to take on faith that the rationalizations set out in this bill will accomplish the purposes of the bill and will also overcome some of the obstacles that have existed for some considerable period of time.

With that caveat, I do want to say that I have some real concerns about two or three

of the concepts involved in the bill, if they are to be considered as problem-solving concepts. I can well understand that lawyers, having perhaps got rid of, in some context, the concept of domicile, and in recognition of the number of hours that people have spent on the question of domicile, would not want to find in this bill some equivalent concept which will lead, I think, to very grave difficulties for the courts and that is the question of habitual residence.

The tests are set out, but everyone knows the question of jurisdiction will depend upon the decision of the court in the first instance as to whether or not the child is habitually resident within the jurisdiction. In the simple cases, of course, there are no problems. The problems arise only in those cases where there is a complex set of facts from which the legal decision or the legal inference can be drawn that the child is or is not habitually resident within the jurisdiction.

The problems won't disappear because of the inclusion of that particular test in the bill. I had indicated earlier in another context to the Attorney General that a goodly number of these problems would be decided not on that kind of a test but on the capacity of the court that first made the order to have that order respected elsewhere in Canada in particular, without going abroad and determining the enforcement of orders elsewhere. At least in Canada, if the court that in good faith made the first decision would be entitled to have its decision respected by the courts in the other provinces and other jurisdictions in Canada, those problems would be decided. That, of course, is a pretty common provision. The language of the United States constitution which deals with it is the requirement of one jurisdiction to give full faith and credit to the orders of another jurisdiction.

One can never do that simply and totally in any sense but I would have thought that the court that made the original order in good faith and assumed jurisdiction with respect to custody matters is in a position where that order should be respected by other jurisdictions, unless it could be clearly shown that there had been a failure of due process or that the interests of the child were otherwise going to be seriously affected if there was compliance with that order.

I think that would have been a much simpler road and a much more readily understandable road to have been taken in the bill. Time may tell that the relatively complex tests of jurisdiction set out in this bill at some point may have to give way to

what perhaps—and I submit in all likelihood—would have been a simpler and a much more effective method of dealing with a very fundamental problem.

The other matter that has always been of concern to me is that it is a historical anachronism in Ontario that our courts do not have jurisdiction to declare judicial separation as distinct from divorce, with the result that there has crept into our system of dealing with disputes of family matters the role of the separation agreement as such. I have always thought the accidental turn of events, by which the law of England was introduced into the province, deprived our courts of that kind of jurisdiction. I have spoken about this on other occasions. Jurisdiction was a vacuum that should have been filled directly by the legislation of this province, if necessary. If it required some kind of concomitant legislation from the federal government, I feel that could have been achieved.

The reason I say that is that I am always concerned when the rights of children are dependent upon negotiations of an agreement between two persons between whom there are intense feelings or many difficulties. To leave that entirely in the private field is, in my view, an unwise decision. I think that every situation in which the custody of children is in issue between those persons who share that custody should be decided in a court in accordance with the tests which are put forward. But the provision still remains that if two spouses separate and enter into a separation agreement, and the custody of the child is part of the bargaining process that goes on in there, there is no supervening intervention by the state to determine that the best interests of the child are served.

If I have read the bill wrongly, I will be glad to have that corrected at the point when we go into committee. But it is my understanding that the best interests test for the child, the enumeration of those items in the bill, is not applicable in the case where the spouses enter into a separation agreement in the circumstances which, in so many cases, are the result of negotiations and discussions between opposing parties. Their interests are often tense, and certainly there is nothing to indicate the best interests of the child are paramount in the process of making that decision.

It is perpetuated in many cases—and I speak from a great deal of ignorance as a professional in this field—to the extent that a separation agreement is ultimately part of

a divorce proceeding. The question of custody is in many cases dealt with in a relatively more perfunctory way in the divorce jurisdiction courts in those circumstances where the spouses have agreed about the custody of the child, whether or not the tests are applied about the best interests of that child.

Why I said what I did at the beginning is that in a funny way this is a lawyer's progression. In that sense it is a rationalization of many concepts of law that have been inherent in the care of children with respect to custody and other related matters. Nevertheless it still seems to me to be entrenched in an outmoded world of looking at the problems related to children in our society.

I think until the government, and I would urge the Attorney General at some point to consider this, is prepared to consider the kind of bill my colleague the member for Bellwoods put forward something over a year ago in this assembly with respect to the rights of children, until there is a concomitant recognition of the child as having, independently of the parents, the rights by which impose upon the parents the requirement to fulfil those rights by carrying out the duties that are implicit in it, then it does seem to me that in some way we are always going to treat the disability of minority as a significant and severe disability. That appears to me not to have any place any longer in a civilized society.

9:10 p.m.

I do not think we can go along very much longer without recognizing very clearly there are wrongs done to children in relationship with their parents and other custodians of the children that require the recognition of the rights to right the wrongs. Rights do not exist in a vacuum. They are always in response to the recognition by society of the wrongs. I think there is sufficient evidence of the wrongs to indicate quite clearly, even in a situation in which the custody is traditionally shared jointly with the parents, that children should have certain rights that can be brought to the attention of the court and enforced, if there is a failure on the part of the parents to carry out those rights or a failure on the part of anyone else to carry out these rights.

I am not going to try to elaborate again on the debate that took place on my colleague's bill, the Children's Rights Act, 1979. It is in Hansard. The arguments were put at that time, the rights were delineated and the bill is part of the record in the



proceedings of the House. But there is no question whatsoever that we have to take that additional step to complete the work that has been done on the traditional problems in the relationship of children, the custody test of the parents and the rights of parents with respect to children under the traditional concepts.

I do think we have left a real vacuum. As a minor contribution to this debate, I would suggest to the Attorney General that he submit my colleague's bill, the rights of children bill, to the Ontario Law Reform Commission. Perhaps there are also bills in other jurisdictions that have moved somewhere towards the recognition of the rights of children as delineated by my colleague. By the way, there were some 12 set out in the bill, all of them very eminently reasonable and all of them very valuable and very necessary parts of the wellbeing and the development of any child.

I would ask that the Attorney General consider the submission of that bill and any others from other comparable jurisdictions that have dealt with the problem to the Law Reform Commission and not for one moment necessarily to think that this is the end of a process which need never again be looked at.

I think it would be eminently wise for the Law Reform Commission, with whatever assistance from other agencies of social concern in the society that may want to make submissions to the Law Reform Commission, to determine whether or not the time has come to recognize this concomitant right of children so that when a child goes before a court as the subject of a custody proceeding in accordance with the bill which is before us this evening, there will be a very clear recognition by the judges who are called upon to make these difficult and sensitive decisions that they have before them in the court a person who has rights, despite the disability in our society of being a minor.

Perhaps I have gone on somewhat longer than I expected on that particular issue, but I believe it to be of fundamental importance in the remaining years of this century to get that concept into the laws of this province. If we have to break the way, if we have to front-run that particular recognition, so be it. I happen to believe there is probably significant assistance which can be obtained from other jurisdictions and certainly could be obtained from knowledgeable people about the interests concerned when a child is being

dealt with before a judicial body in our courts.

I need not go on to say that at the present time in Ontario, both from federal and provincial default, the process by which children are dealt with in our courts in criminal matters and quasi-criminal matters under the Juvenile Offenders Act are, to say the least, less than adequate. I do not know what the causes of the delays are over the reintroduction at the federal level of an appropriate bill so that those matters can be dealt with.

We must not forget when we are passing this kind of law that the very people about whom we are passing the law are the very people who never have any access to expressing what the law should be with respect to them because we do not give any particular forum for children to express their views.

Our educational society is such that there are a large number of very sophisticated, adolescent children around in our society who I think, on a proper occasion, could make some very significant contribution to the way in which they believe the system should deal with them with respect to these matters which are so basic and fundamental to the values of the society we cherish. If we want to cherish and protect those values, then it is time that the objects of that care and attention which we value so much should have an opportunity to express their views about them.

One other very technical matter, not unimportant but somewhat technical, which I am not particularly certain is the correct approach, is the guardianship question. I am not talking about the \$2,000 item at all, I am talking about the testamentary right of a person to appoint a guardian for his child in the custodial sense, as well as with respect to the property which that particular child might inherit. I still think there is a place for the court to decide, that the decision made by a parent in his will as to who should have custody of the child or who should be the guardian of the child should be not an automatic approval by the court. I still think there is an occasion on which the court must confirm or affirm that particular appointment.

The traditional view for a long time was that a person could, by will, appoint the person who was to have custody of the child and to be the guardian of his property. That went by the board and it was then good testamentary conveyancing procedure for the parent simply to name the person whom he wished to be the guardian or to have the custody of the child and leave it up to the application of that person, or of some interested person, to have it confirmed by the

court. I still think, if I have read this bill correctly, that perhaps we could have some elucidation in committee about that procedure to decide whether or not some amendment may be useful or worthwhile in that area.

The other areas have been dealt with, but I did want to touch upon those three or four matters that I feel quite deeply about and I am certain other members of the assembly share my feelings about them.

I end by asking again the Attorney General not to consider his work is done, but to consider my colleague's bill and submit it to the Law Reform Commission for their study and report, and in due course we may be able to advance the cause of children in the province.

**Hon. Mr. McMurtry:** Mr. Speaker, I would like first of all to thank the members for their support of this legislation in principle. Furthermore, I would like to thank the members who have participated in this debate for their very thoughtful comments with respect to very important legislation. The member for Bellwoods I think is perhaps the only nonlawyer who participated and I would like to say to him that I appreciate particularly the careful thought he has given to many of the issues, many of the important concepts which are related to this legislation.

I look forward to discussing this legislation at length with the members in committee and I certainly appreciate the fact that they will be able to make a very useful contribution to legislation that we regard as very important and as a very important additional step with respect to our family law package.

I agree with the member for Riverdale that some of the issues that he raises will not be resolved in this legislation but will require the attention of lawyers, social scientists and law reformers probably for some years to come. In any event, Mr. Speaker, I certainly look forward to a very far ranging discussion in committee.

Motion agreed to.

Ordered for standing committee on administration of justice.

9:20 p.m.

### BOUNDARIES ACT

**Hon. Mr. Drea** moved second reading of Bill 138, An Act to revise The Boundaries Act.

**Hon. Mr. Drea:** Mr. Speaker, I made a rather substantial statement when this bill was introduced in the spring. Quite frankly,

it is an effort to streamline the administrative procedures without altering the basic concept for the confirmation of boundaries. You will notice in the act, for instance, that where there is no dispute, there is no longer the need for hearing and so forth. Notwithstanding the fact that it concerns a less than grandiose subject, it will have a remedial impact, particularly for municipalities.

**Mr. Breithaupt:** Mr. Speaker, I had the opportunity to review the comments made by the minister at the time of the introduction of this bill. From a review of the explanatory notes, the particular details with respect to changes and certain requirements for plans of survey and boundaries appear to be changes which are all for the better.

As the minister has said, certain notices of application of hearings will no longer be required where consent matters occur and, as a result, some time will no doubt be saved in completing a variety of procedures which will set boundaries, particularly as they define highways and other areas.

Certainly I have no other questions with respect to the bill. We are obviously quite prepared to support these positive changes and hope the bill can proceed as expeditiously as possible.

**Mr. Lawlor:** Possibly, Mr. Speaker, no banal or pedestrian subject could be spoken about at this time of the night. Nevertheless, I have to confess that the legislation stirs my blood. It seems to me we go into fairly deep waters. Listen to this, Mr. Speaker:

"The fabric of the original surveys in Ontario has eroded. Most of the monuments have disappeared. Even in modern subdivisions many of the iron bars carefully planted by surveyors are almost immediately removed by bulldozers. The process of division and subdivision during more than a century has produced jigsaw puzzles composed of parcels which may be divided with a degree of internal logic but which really fit together easily and without overlaps or gaps. The task of locating boundaries may be difficult and expensive and often does not reach a simple and certain result."

I am reading from a report on land legislation by the Ontario Law Reform Commission, which was written in 1971 and so far as I know nothing has been done about it. The minister brings forward a revision to the act and I wonder how it impinges upon or has any effect upon the numerous recommendations, nostrums, objections, castigations or any other "tions" that exist in this legislation.



I would like the minister to explain how co-ordinate control systems have been brought into being in the province and how they are operating. It is a system of monuments being set up. I suspect that none of them have been done. What is the point of a law reform commission bringing forward all the most benign, helpful suggestions with respect to how one reaches boundaries if nothing is done about it? I suspect he hasn't even heard about it, let's be frank, and that it is a new subject to him.

**Hon. Mr. Drea:** Oh, yes I have.

**Mr. Lawlor:** Well, if the minister has heard about it, then I don't see anything in the legislation tonight that addresses itself to the central issue involved here. It is an attempt to obviate on the part of a few, on the part of masters of titles, on the part of the surveyor general, a minister of the crown, and a few others of some benefit, in trying to locate the starting point or at least trying to determine where the meridian lines run and where the devil the property is so that it doesn't impinge upon and overlap on another.

If one searches properties in this province—take Haliburton, Minden, let me say—when trying to find out and locate with any astuteness, one hopes they are within 1,000 yards of the particular piece of property that a client is seeking. One gets very little help in this particular regard from registered documents, surveys reposing in the registry office. John Graves Simcoe did an initial job and very little in Ontario has been done since that time.

**Mr. M. N. Davison:** Mr. Speaker, it is certainly a good thing you recognized the member for Lakeshore before you recognized me because until I had heard him I would have said that this was an uncontroversial piece of legislation.

It seems to me frankly that in regard to Bill 138, An Act to revise the Boundaries Act, it certainly is time for modernization. Any bill that was introduced and passed in the year that my father was elected to this august assembly is no doubt appropriately up for review. I have no great objection to the changes that have been made, although I understand my colleague's concerns about some of the things we may have done that we have not yet done in terms of legislation.

It is my view that there is no need for the bill to go to committee for alteration unless my colleague has questions to ask in some continuing dialogue with the minister. I would point out, and my colleague from Lakeshore did not do so—and I was sur-

prised that he did not say that he was happy to find it out—that in fact this bill is binding on the crown.

**Hon. Mr. Drea:** Just very briefly, Mr. Speaker, the whole question of surveys, and I am not going to get into it, really is being faced by the Ministry of Natural Resources. This is not an attempt in any way, shape or form to get at the recommendations of the Ontario Law Reform Commission. This is merely to streamline the existing procedure. As such, I will certainly pass on to my staff within the competence of the registry and the land titles system the comments the member for Lakeshore has made, but I really think the thrust of his argument should be to the Minister of Natural Resources (Mr. Auld).

Motion agreed to.

Ordered for third reading.

9:30 p.m.

#### LAND TITLES AMENDMENT ACT

**Hon. Mr. Drea** moved second reading of Bill 136, An Act to amend the Land Titles Act.

**Hon. Mr. Drea:** Mr. Speaker, just very briefly, because I dealt with this also in the spring, there is the request that we have from the federal government to change our legislation so that they no longer have to issue consents in connection with estate taxes. I am going to move an amendment in committee which also deals with this, but again we seem to have a bit of a gremlin concerning the statutory authority and the title of deputy land registrar. We want to clean it up in here once and for all.

The amendment is required later on because even with this attempt to clean up the status of the deputy land registrar, inadvertently there were some things left out, and that will be brought forward in committee. Finally, there is the question of the easement on the condominium properties where there is sequential development to occur. I think that is all I will say at this time.

**Mr. Breithaupt:** Mr. Speaker, as the minister has commented, this was one of the group of bills that was introduced on June 19, just before the Legislature rose for the summer break. Both in this act and in the Registry Act, there are changes with respect to easements in so far as condominium registration is concerned. As a result of the changes in condominium law and the further development of that mode of lifestyle, it is necessary that statutes that have been in existence, I suppose particularly under the Registry Act,

for close to 150 years or perhaps even 200 years, have to be brought up to date and have some modification.

As the minister has acknowledged not only in his statement but also in the explanatory notes, this change with respect to the easement theme—I will say this now and not repeat myself at the time of the Registry Act—both of these changes have been meant to allow the creation of easements that benefit the overall condominium properties and to spell out somewhat more clearly and in detail the changes in verbiage that have developed as the whole condominium theme has developed.

As the minister has said, there have been a couple of other changes which result from changes in federal statutes. The one change I did find interesting, however, was the one with respect to section 14, and perhaps the minister might comment upon that. As I look at the explanatory note in section 14, the explanation of this amendment is as follows: "The provision currently provides that when a sheriff is so directed he shall forward writs of execution to the land registrars." The provision is reworded to clarify the intent. A substantive change is to provide that the execution does not bind land until it is recorded by the land registrar. Currently it binds land when it is received by the land registrar.

If the minister will look at that, it may strike him, as it did me, that the question of some delay might arise. Obviously, to someone searching a title, it would seem he is going to have to see something recorded in the daybook, if not at least under the lot and plan number in the ordinary case, before he can know whether it is binding.

I wonder, unless there are some particular provisions to the land registrars to ensure immediate recording of these particular documents, whether someone may be disadvantaged in not having a registration on a property until, in fact, it is recorded. I realize this may only be the matter of a few hours but, as we all know, the issuance of a certificate following a writ of execution can suddenly intervene between a first mortgage or a second mortgage. There could be a variety of problems.

I was just wondering whether this is a particular concern and, indeed, whether this fact of recording may be of some disadvantage if there are not clear expectations that such documents would be immediately dealt with, as I am sure most land registrars would want to do, to ensure that the best results would occur.

Beyond that particular point, the other amendments as I have reviewed them are somewhat mechanical and of a housekeeping nature and we would certainly support the bill.

**Mr. M. N. Davison:** Mr. Speaker, likewise my party has no objection to what is contained in the bill. The federal request on the issue of the estate tax and the discontinuance of issuing consents is perfectly reasonable and there is no reason to hesitate. I could not possibly in my wildest dreams imagine resisting the legitimization of the deputy land registrar. How frightful.

One area that causes me concern is the area dealing with condominiums. I do not think there is any need to spend a great deal of time on it, but it is important to realize condominiums seem to be a continuing problem in terms of a constant need to alter, modify and clarify existing legislation. It is not the first time we have had the Registry Act or, indeed, the Land Titles Act before us to clean up, make some alterations, in regard to condominiums.

In the 15 years we have been living with the reality of condominium life in the province, we still do not seem to have come to grips with all the varying issues. I would suggest to the minister the time is probably about right now to have staff commence a look-through and an examination of condominium legislation in its totality. I suspect after the fairly extensive revision of the legislation we went through two years ago with condominiums about the time the minister came into this portfolio, there are a number of other areas like this question of easements that could use, in the words of the ministry, some modification and clarification. I would recommend that course of action to the minister. I know that is not precisely on the principle of the bill.

As to the final two central provisions, the amendments to the Land Titles Act, I do not have great objection. The alterations proposed in section 15 of this bill and section 10 of the Registry Act in terms of the provisions for correcting errors are completely acceptable.

**Hon. Mr. Drea:** With the sound system it is very difficult to hear the member.

**Mr. M. N. Davison:** I am speaking as carefully as I can.

**Hon. Mr. Drea:** It is not your fault. It is the microphones.

**Mr. M. N. Davison:** Yes. The minister can read it tomorrow in Hansard, I suppose.

9:40 p.m.



The final item I want to comment on is the alterations in section 16 dealing with the Family Law Reform Act and the alterations that are now necessary to the Land Titles Act. Like my colleague from Kitchener (Mr. Breithaupt), I have no intention of running through the same things with the Registry Act. They are essentially the same amendments and these comments are applicable to both. I congratulate him. It is two years after the fact that we move to make those necessary amendments to the Land Titles Act and to the Registry Act in accordance with the Family Law Reform Act of 1978. Aside from the minister's amendments to those two bills, which I support, I see no other need for them to be delayed in the committee stage.

**Hon. Mr. Drea:** There was one question of concern regarding section 14 that was brought forward by the member for Kitchener and I thought it might be better to answer it for the sake of the record at this time.

I am instructed that the amendment protects the purchaser or chargee—that is, the mortgagee—against writ of execution received from the sheriff by the land registry office but not yet recorded; that is, indexed. There, it goes without saying, the land registrar has an obligation to record promptly and his failure could result in his being sued for consequential loss by a judgement creditor. The court would no doubt determine what would amount to an unreasonable delay in a proceeding.

I would think on that basis there is the protection. The obligation with that amendment is upon the registrar or the master, depending upon which bill we are talking about, and the failure to do so then could be interpreted by the courts.

**Mr. Breithaupt:** And they will be aware of the need to be prompt.

**Hon. Mr. Drea:** Yes. In the land registry or the land titles, whichever you want to call it, there is constantly this obligation to be prompt, because there are instant remedial measures. This indeed is one of the reasons that we are going into complete computerization through the Polaris project. That will facilitate recording as rapidly as possible by virtue of the fact that the staff will not otherwise be occupied and that the documents for searchers and others will be almost instantly available rather than having lineups. Right now there could be a delay in the recording caused only by the fact that there were 10 people in front of the wicket. If we eliminate that, then there is

really no excuse and it should be a very prompt recording.

Motion agreed to.

Ordered for committee of the whole House.

#### REGISTRY AMENDMENT ACT

**Hon. Mr. Drea** moved second reading of Bill 137, An Act to amend the Registry Act.

**Hon. Mr. Drea:** Mr. Speaker, the amendments that constitute this act are almost identical, at least in intent, to those that have already been discussed in Bill 136.

**Mr. Breithaupt:** Mr. Speaker, the comments, as the minister has said, relate not only to the land titles system but also to the registry office system as they review the federal estate tax changes that we commented upon earlier. In addition, the matter of easement definition to attend to certain condominium developments is also similar to the previous act.

The minister has two amendments to this bill similar to those in the previous bill, which again follow along and correct some particular details in this circumstance.

I do not think there is any requirement for any further particular comments on the bill. The two of them are companions, and of course we will support them.

**Mr. M. N. Davison:** Mr. Speaker, perhaps I can rephrase the question or point I was making about condominiums under the Registry Act. I will try to speak up so that the minister can catch it.

The point I was making was that in the time since we rewrote condominium law in Ontario, this is not the first occasion on which legislation has come before the House because of something we either ignored at the time or because of subsequent ranges that had to be made to other pieces of legislation; in fact, among them was the Registry Act on another occasion back in the last session.

The point I was trying to make with the minister—perhaps he will respond to it in his concluding remarks on second reading debate of this bill—was, to what extent has his ministry undertaken an examination of the condominium legislation to see where improvements are required? For example, can we expect some alterations or amendments to the condominium law in the province to be forthcoming from the minister in the next six months?

The other concern that the minister might address himself to is that one of the things that was important when we rewrote the

condominium legislation in the province was the desire to get as much of condominium law into one bill as was possible. To what extent has consideration been given to taking sections of the Registry Act and, for the purposes of the reading or consuming public, having as much as possible of that legislation in one bill? Has the minister and his staff given some thought to this and other sections of the Registry Act affecting condominium law that could be transferred over to the condominium legislation?

**Hon. Mr. Drea:** I do not think we can ever get to the point where we can assure this assembly that we have packaged together all of the improvements that are needed in the condominium field.

First of all, I would direct the honourable member's attention to the fact that the very amendments to the last bill and to this bill regarding the easement question were considered prior to the introduction of the Condominium Act, which was passed two years ago. They were presumed not necessary because this was an existing practice that had not been challenged.

Notwithstanding the new Condominium Act or the one that is in existence now, the evolution of law in the condominium field has made the amendments in these two bills tonight extremely necessary. I think we have to bear in mind that condominium law in this province is not yet a decade old or, if a decade old, just barely beyond that. It certainly took a great deal of time to get a coherent Condominium Act. I can recall, when first elected, having to sit on committees which considered, and changed rather drastically and substantially, the core Condominium Act.

9:50 p.m.

Naturally, within the ministry, and particularly within the land registry and land titles, there is an onus and very real thrust that, when these particular applications are addressed, it is not done on an ad hoc basis. But indeed, if there are sections or practices within the scope of the two acts, they should be brought up to the desired level all at the same time.

Because of the evolving nature of condominium law, I think the member does have a point, that there is a particular onus upon us not to be changing every six months because another situation has come up. To the best of the ability of the staff—and they are very skilled in this area—I can assure him that matter is being constantly looked at. On the other hand, there are evolutions or

changes made necessary by court decisions or what have you and we must meet them.

When the honourable member talks about putting it all under one act, it is my view that since the purchase or the sale of a condominium property is almost identical to the purchase or sale of detached property, or what I call conventional property, it is best served under the Land Registry Act and the Land Titles Act. This is where the profession that is actually doing and arranging the transfer goes. These acts are their bible.

**Mr. M. N. Davison:** It is not the lawyers we have problems with.

**Hon. Mr. Drea:** The honourable member interjects that it is not the lawyers we have problems with. Let me tell him that it has taken a long time for the profession to become accustomed to condominium transfers. They are not identical to the sale or purchase of detached property. That has been one of the problems, and indeed the profession has had to address itself to that by drawing to the attention of solicitors that they are not exactly the same.

I must say we do not have the disputes or controversy now that we had even two years ago with the passage of the Condominium Act.

I think the customer is really best served in terms of protection by having the rather codified rules or law for the purchase and sale, for the delineation of the property and so forth, right in the place where it is done within those two acts, and the other things flowing in the Condominium Act, because there is far more to the protection of the consumer or to condominium life than the registration or the title on the property.

That is my view, and I think quite frankly it is the view of those in the profession. There may come a time when we will want to do this, but also bear in mind that it is an administrative problem.

**Mr. M. N. Davison:** Let us come back to this in committee.

**Hon. Mr. Drea:** I would be delighted to come to anything in committee, but the member asked me to speak upon it on second reading and I have tried to. Now I would like to finish.

**Mr. M. N. Davison:** I was seeking only a dialogue.

**Hon. Mr. Drea:** Second reading is not the time to seek a dialogue, if that is what the member wanted. The member asked me some rather pointed things and he drew my attention the fact that I had not spoken on it the first time. I would like to wind up with



a couple of sentences, and I do not care if the member wants to stay here all night in committee. I was asked my views, I was asked why we were not doing things and what direction we were going.

We have no immediate intent to alter the Condominium Act proper. I do not want to be held to account six months from now because there is a situation that has emerged as a result of a court case or so forth. But in terms of the content of which the honourable member was inquiring and was making his point, no, we do not. I think we have reached the point that, while the act is under constant review, it seems to be meeting the need as of October 7, 1980. A court case on a section that we considered in this Legislature to be well within the jurisdiction of this government could alter that, and I am not talking about anything before the courts now.

I think that should answer the questions that were asked and the concerns that were expressed on both Bill 136 and Bill 137 regarding the new easement provisions for condominiums.

Motion agreed to.

Ordered for committee of the whole House.

#### LIMITED PARTNERSHIPS ACT

Hon. Mr. Drea moved second reading of Bill 85, An Act to revise the Limited Partnerships Act.

Hon. Mr. Drea: Mr. Speaker, I really do not think an opening comment is required. While this act is substantial and I am confident will be of great benefit to the investment community, it is a rather straightforward piece of legislation by intent. It is maybe somewhat more lengthy than one would expect, but there are a number of things that have to be brought up to date.

One thing that is of significance is that for some time there has been the concern that were we to move in this field, we would have to accept, almost on a reciprocal basis, firms operating under limited partnerships legislation in other provinces. The concern was raised—I do not want to comment too much on it—that in certain cases this would provide out-of-province limited partnerships with certain advantages over those that would choose to exercise this form of partnership in Ontario.

We have more than met that concern, because in this bill we provide that the status of a limited partnership formed outside of Ontario, but which carries on business here, must file the declaration here, where it operates, but the laws of the jurisdiction

under which it was organized govern its internal affairs and the limited liability of its limited partners. I think that is a very significant and very common-sense approach, and one that will facilitate this type of partnership, which has been very successful in other jurisdictions for investors.

To a degree, it operates under federal jurisdiction, and is particularly advantageous to investors who have been looking at the film industry, which has been very successful in this country in providing jobs and so on.

10 p.m.

Mr. Breithaupt: Mr. Speaker, it is interesting that when this bill was first introduced, the minister in his comments referred to the year of 1849 as the date when this Limited Partnerships Act was first developed. I think that was probably part of the Baldwin reforms and the Municipal Act and all the other sorts of thing. But while the Municipal Act has certainly been patched up and changed, shaken down, shaken out and dealt with in a variety of ways, here is a rather curious statute that has not really required much change over the years.

In the original statute, section 3 sets out the whole concept of liability, and I think it is worthwhile to comment on that. The section reads: "General partners are jointly and separately responsible as general partners are by law but limited partners are not liable for the debts of the partnership beyond the amounts contributed by them to the capital."

That is a very simple concept, but it is one that was quite a change to the traditional partnership responsibilities whereby anyone involved in a business was fully responsible for the debts and obligations if a partner with either apparent or ostensible authority had the right to bind that person in a certain transaction. Since 1849, there has not been much of a change in this kind of statute until now, when we have before us a statute that is virtually twice as long—37 sections instead of 20—as the one it is replacing.

I was interested in reading the press report that appeared in the *Globe and Mail*. I felt the headline was one of the more peculiar ones I have seen attached to articles. In dealing with the comments that the minister made in the House on May 27, the headline is, "Ontario Attempts to Change Laws on Partnerships." I can assure the writer of that headline that it is not just an attempt. If the bill is introduced, it does change the law. There is no question about that, and I think it is a change for the better.

Particularly in the area of oil and gas exploration and in this film-making consor-

tium theme, which is now quite a development in Metro Toronto as well as other parts of the country for various tax reasons and other opportunities to make capital gains—and pay taxes if they are successful—there have been comments that the law was simply insufficient for development of this new kind of relationship between individuals who would gather together for these projects.

As the minister has said, the numbers have virtually doubled over the last several years. It has been particularly important to make arrangements so that limited partnerships originating in other provinces would have certain responsibilities in Ontario and offices to be served for various documentation however their internal details and operation would be dealt with by the province in which they originated. As I recall, our statute now will follow particularly the development of themes in Alberta and Saskatchewan, as they have had some experience in this development.

The circumstances that limit responsibility are much more clearly set out, and the opportunities to change the memberships without an excessive amount of paperwork are certainly suggestions whose time has come. The basic comments within the act are quite clear and self-explanatory, and I certainly welcome this change in development in the ongoing reform of business law.

The minister has had a particular interest in this, a responsibility for it and has shown interest in obtaining legislative time to deal with this great variety of statutes that have to be brought up to date if we are to maintain the kinds of business development and practice that are important to Ontario.

**Mr. M. N. Davison:** Mr. Speaker, I am sorry the minister and I have not been getting along terribly well this past four or five months.

**Hon. Mr. Drea:** Four or five years.

**Mr. M. N. Davison:** Four or five years has it been? Time passes so quickly.

**Mr. Cunningham:** It seems like nine or 10.

**Mr. M. N. Davison:** Yes. On the Limited Partnership Act, I will try to be much less provocative with the minister than I was on the Land Titles Act.

In the New Democratic Party we support these changes to the Limited Partnerships Act. I think any law that was a law in this geographical area before we became a province is probably due for rewriting. It is nice to know that after almost four decades of straight Tory government they have finally

got around to the 1849 statutes and decided to modernize them.

I was quite interested, as I suspect a lot of members were, when the member for Kitchener pointed out the increase in the number of registrations we have had of limited partnerships—about double in the last year; I think 195 to 344. That still accounts against a figure of 50,000 businesses that are registered in Ontario in a year; so it is a relatively small, although growing, number of businesses.

As I say, we support the modernization of the statute. I have no great difficulty with any of it except the parts that deal with limited partnerships that are extraprovincial, from outside of the province; because I would like a dialogue rather than an answer to a question, I will hold my comments and questions on that until we reach committee stage of the legislation under section 25.

Motion agreed to.

Ordered for committee of the whole House.  
House in committee of the whole.

#### LAND TITLES AMENDMENT ACT

Consideration of Bill 136, An Act to amend the Land Titles Act.

On section 1:

**Hon. Mr. Drea:** Mr. Chairman, there will be two amendments.

**Mr. Chairman:** Mr. Drea moves that section 1 of the act, as set out in section 1 of the bill, be amended by adding thereto the following subsection:

"Powers and duties of deputy land registrars:

"(5) A deputy land registrar appointed under the Public Service Act shall act under the direction of the land registrar and in so acting may exercise the powers and perform the duties of a land registrar."

**Hon. Mr. Drea:** Mr. Chairman, as I mentioned in the second reading debate, it was through unfortunate drafting in 1979 and in 1980 that we neglected to reinstate the statutory authority of deputy land registrars. We apologize to the House for those oversights. I do not know what the particular difficulty is with deputy land registrars, but we hope that this clarifies it forever.

**Mr. Breithaupt:** Mr. Chairman, in effect, land registrars and deputy land registrars are of course different kinds of people from assistant deputy land registrars. There is a necessity to resolve this particular point, and the amendment is fine.

Motion agreed to.

Section 1, as amended, agreed to.



10:10 p.m.

On section 2:

**Mr. Chairman:** Mr. Drea moves that subsection 3 of section 43a of the act, as set out in section 2 of the bill, be amended by inserting after the word "easement" in the third line the word "expressly."

**Hon. Mr. Drea:** Mr. Chairman, in the new section 43a of the Land Titles Act, the term "expressly" appears twice. It appears in subsection 1, and the term "expressed" appears twice in subsection 4. We feel it prudent not to have an apparent but unintentional difference in phrasing which might result in the intention being incorrectly construed by the courts.

Motion agreed to.

**Mr. M. N. Davison:** Mr. Chairman, I will expressly put the question I tried to put to the minister before. I wonder if the minister would consider as an appendix to the Condominium Act in Ontario a list of various pieces of legislative sections and subsections of various other statutes in the province that deal with condominiums, so that when somebody goes to the government bookstore and purchases something called the Condominium Act he would have included as a final page or two of that a list of every other piece of legislation in the province that affects or applies to condominiums.

The concern I was trying to raise was not the difficulties of lawyers.

**Hon. Mr. Drea:** Done.

**Mr. M. N. Davison:** I have sold it to the minister? Well done!

**Hon. Mr. Drea:** It is to be an office consolidation or something like that.

**Mr. M. N. Davison:** Who said we couldn't get along together?

**Hon. Mr. Drea:** If the member asked questions like that all the time, I would do it for him.

Motion agreed to.

Section 2, as amended, agreed to.

Sections 3 to 18, inclusive, agreed to.

Bill 136, as amended, reported.

## REGISTRY AMENDMENT ACT

Bill 137, An Act to amend the Registry Act.

On section 1:

**Mr. Chairman:** Mr. Drea moves that section 8 of the act, as set out in section 1 of the bill, be amended by adding thereto the following subsection:

"Powers and duties of deputy land registrars:

"(5) A deputy land registrar appointed under the Public Service Act shall act under the direction of the land registrar and when so acting may exercise the powers and perform the duties of a land registrar."

**Hon. Mr. Drea:** Mr. Chairman, the explanation is identical to that for section 1 of Bill 136.

**Mr. Breithaupt:** My comments are identical as well.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 and 3 agreed to.

On section 4:

**Mr. Chairman:** Mr. Drea moves that subsection 1 of section 24a of the act, as set out in section 4 of the bill, be amended by striking out "transfer" in the ninth line and inserting in lieu thereof "deed" and further that subsection 3 of section 24a be amended by inserting, after "easement" in the third line, "expressly."

**Hon. Mr. Drea:** Mr. Chairman, the first amendment to section 4, unfortunately, is necessary because, the new section incorrectly referred to "transfer." The term "deed" is much more appropriate in the context of the Registry Act, and that is the reason for the substitution.

The second amendment is to make it exactly the same as in Bill 136, for the sake of prudence in the courts.

Motion agreed to.

Section 4, as amended, agreed to.

Sections 5 to 15, inclusive, agreed to.

Bill 137, as amended, reported.

## LIMITED PARTNERSHIPS ACT

Consideration of Bill 85, An Act to revise the Limited Partnerships Act.

On section 1:

**Mr. Chairman:** Mr. Drea moves that section 1 be amended by adding thereto the following clause:

"(ba) 'person' includes an individual, sole proprietorship, partnership, unincorporated association, unincorporated syndicate, unincorporated organization, trust, body corporate and a natural person in his capacity as trustee, executor, administrator or other legal representative."

**Hon. Mr. Drea:** Mr. Chairman, this amendment provides an expanded definition of the word "person" which is taken from the pro-

posed revision of the Business Corporations Act.

As it is written, the bill would not permit one limited partnership to invest in another limited partnership. The ministry received comments on this after the introduction of the bill for first reading, and the amendment will permit greater participation in limited partnerships.

**Mr. M. N. Davison:** Mr. Chairman, I support this completely, as long as the minister does not try to slip this in as a definition of "person" under the Interpretation Act of Ontario.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 to 4, inclusive, agreed to.

On section 5:

**Mr. Chairman:** Mr. Drea moves that subsection 3 of 5 of the bill be deleted and the following substituted therefor:

"(3) Notwithstanding any act, the word 'limited' may be used in the firm name but only in the expression 'limited partnership'."

**Hon. Mr. Drea:** Mr. Chairman, this amendment clarifies the intent of the section, because the existing wording is open to abuse; some person might register the XYZ Partnership Limited and leave the false impression that the partnership is a corporation rather than a limited partnership.

By eliminating the reference to section 10 of the Business Corporations Act, no further amendment will be necessary if the revised Business Corporations Act is introduced and becomes law.

**Mr. Breithaupt:** Mr. Chairman, this is certainly a prudent amendment. The example the minister used shows the kind of confusion that could result, and I think it is important that the two words "limited partnership" are clearly developed so that they become a term with which at least a discerning or interested member of the public in this particular kind of development would feel fully capable of knowing the details. The amendment certainly seems worthwhile.

Motion agreed to.

Section 5, as amended, agreed to.

10:20 p.m.

Sections 6 to 24, inclusive, agreed to.

On section 25:

**Mr. Chairman:** Mr. Drea moved that subsection 1 of section 25 of the bill be amended by striking out "transacts business" in the third and fourth lines and inserting in lieu thereof "carries on business."

**Hon. Mr. Drea:** Mr. Chairman, the proposed amendment makes the wording of the section consistent with that contained in section 24. Concern was expressed that transacting business might have a different meaning from carrying on business and the proposed amendment meets this concern.

**Mr. Breithaupt:** Mr. Chairman, the phrase "carrying on business" is one that is used within corporate law and has a certain tradition of consistency. This amendment is certainly satisfactory.

**Mr. M. N. Davison:** Mr. Chairman, on section 25, but not the amendment, I would just point out that I agree with my colleague the member for Wentworth North (Mr. Cunningham) that we would be a lot more use to the House this evening if we were debating the Re-Mor and Astra swindles rather than these pieces of legislation. However, in regard to section 25, I have a concern. I do not know to what degree it is my lack of knowledge about the way limited partnerships might operate in certain circumstances and to what extent it is simply a query arising from the explanations of this alteration in the legislation. I am not sure I understand how it is that a citizen in Ontario who is involved in business in Ontario is not subject to Ontario laws simply because his involvement takes place through a limited partnership that is an extraprovincial partnership.

Does the minister understand the concern I am raising? Perhaps he could explain that to me.

**Hon. Mr. Drea:** This is what I referred to before. It is for internal purposes; that is, for purposes of a charter and its organization, it is where the corporation began. For its operations in the province, it must conform to this Limited Partnerships Act. That is exactly where the bottleneck was in the past. The argument was that, if you proceed into amending the 1849 statute, you are going to have to give reciprocity.

Regarding the Limited Partnerships Acts in other provinces—and I do not want to go into the merits of it—historically there was a concern that these were not up to Ontario standards. Therefore, you are creating a class of organization that could operate under an inferior law in Ontario and obviously there is some implications in that. At the same time, there was never the intent to dictate to other provinces what they should do.

In effect, this is the best of both worlds. If you originate in one province, you must



operate your own affairs under their rules; we do not impose them on you, but your public dealings must conform to this bill in this province.

**Mr. M. N. Davison:** The Ontario citizen carrying on business within Ontario in a limited partnership from outside the province does not have limited liability in Ontario? Does he have complete liability or no liability?

**Hon. Mr. Drea:** He has limited liability under the amendments here.

**Mr. M. N. Davison:** And under the old legislation he had complete liability or no liability?

**Hon. Mr. Drea:** He had complete liability.

**Mr. M. N. Davison:** So we are moving from complete liability to limited liability. It does not matter then whether the Ontario citizen doing business in the province is doing it through a limited partnership from Ontario or a limited partnership from Manitoba; is that correct?

**Hon. Mr. Drea:** No, not in terms of his investment. But the question arose because if he were investing in a limited partnership or in effect had become part of it, under whose rules would he be operating. We are saying he operates under the corporate rules or within the internal affairs of a limited partnership, under the rules where it originated, but in terms of his investment and the limited liability and the scope he operates under this act in Ontario.

On the one hand we do not distort or restrict the ability of a limited partnership that originates in another province from doing business here, but by the same token we do not put up a double standard in the Ontario business community.

Motion agreed to.

Section 25, as amended, agreed to.

Sections 26 to 37, inclusive, agreed to.

Bill 136, as amended, reported.

On motion by Hon. Mr. Wells, the committee of the whole House reported three bills with amendments.

The House adjourned at 10:28 p.m.

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# **Legislature of Ontario Debates**

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, October 9, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, OCTOBER 9, 1980

The House met at 2 p.m.

Prayers.

## AMBULANCE SERVICES

**Mr. Breagh:** Mr. Speaker, I would like to rise to correct the record. On Tuesday afternoon of this week I raised a number of questions concerning ambulance services. I want to quote part of the response from Hansard. It concerns the question I raised about Mr. Hank Meyer, who was given a suspension by the ambulance operator in Halton-Mississauga. I will quote from Hansard part of what the Minister of Health (Mr. Timbrell) replied. "The ministry had no part whatsoever in the suspension which was registered against that individual by his employer."

I went to the standing orders which are quite clear as to what language I may use to describe what transpired here. They specifically forbid any allegation of deliberately misleading or of a member's lying. I recognize that this is not done. I went to the Legislative Assembly Act itself. It does, in part, in section 45 deal with the matter of giving false evidence, but it is not clear as to how that translates to members themselves. I went through Erskine May, where a procedure is outlined which is used in the House at Westminster concerning allegations of this nature, but I am not clear.

That leaves me somewhat at a loss for words, but not at a loss of documentation. I want to table with the Clerk of the House an affidavit which was signed yesterday afternoon here at Queen's Park by Mr. Meyer, indicating clearly that the member did participate in that meeting. I want to provide you, Mr. Speaker, with a copy of the Instant Hansard as well, further, a letter from his employer indicating very clearly that the ministry in fact did participate in the suspension.

I wanted to rise today to correct the record and to seek your advice and guidance as to how we might further proceed with this matter.

**Mr. Speaker:** I will take the member's point under advisement.

## NONRESIDENT AGRICULTURAL LAND OWNERSHIP

**Mr. Riddell:** Mr. Speaker, I rise on a point of privilege. On Monday I asked the Minister of Agriculture and Food a question on non-resident agricultural land ownership. In responding, he indicated that he received a very apologetic letter in the mail from an individual from Huron county. The minister went on to say, "It pointed out that he was the sponsor of this resolution that I am supposed to have had, and again I say I have not received that resolution."

I went back to the office and got the letter that had been written by the sponsor. I also talked to him today. He wanted me to make it very clear in the House that there was no letter of apology sent to the minister. As a matter of fact, part of his letter reads: "Action is needed right now. This explains why our resolution was worded as bluntly as it was. You must take some immediate steps now to curb absentee buyers of our farm land or we must regretfully assume you are not interested in the welfare of our agricultural industry."

Secondly, the minister definitely did receive the resolution. I think it is incumbent upon the minister to stand in his place and say that he was wrong on both counts.

**Hon. Mr. Henderson:** I have the letter in front of me, Mr. Speaker. It does not read like that. The letter the member read was handed to me in a meeting this morning.

**Mr. Riddell:** Oh, come on!

**Hon. Mr. Henderson:** Ask your president. I do not mind presenting it to you, Mr. Speaker.

**Mr. Speaker:** The member for Huron-Middlesex believed that certain events—has the minister finished?

**Hon. Mr. Henderson:** I will be happy to read the letter, Mr. Speaker, if it is your wish.

**Hon. Miss Stephenson:** Read it now.

**Mr. Speaker:** I do not think the contents of the letter are relevant. It is whether or not the honourable minister received it when he said he did. Of course, we have to assume that what the honourable minister says is the

truth. All honourable members are honourable.

**Hon. Mr. Henderson:** The letter he quoted from was handed to me this morning in a meeting, Mr. Speaker.

**Mr. Riddell:** What is the date on the letter?

**Hon. Mr. Henderson:** The date is the 22nd.

## STATEMENTS BY THE MINISTRY

### FREEDOM OF INFORMATION AND PROTECTION OF PERSONAL PRIVACY

**Hon. Mr. Pope:** Mr. Speaker, I am pleased to report to the Legislature on activities falling within my jurisdiction as minister responsible for implementation of freedom of information and protection of personal privacy.

Members will recall that the speech from the throne in March indicated the government would move quickly after receipt and study the final report of the Ontario Commission on Freedom of Information and Individual Privacy. After more than three years of study, extensive public hearings across the province, examination of more than 100 briefs and publication of 17 research papers, the commission presented me with its report several weeks ago. I immediately made it public and sent copies to all members.

2:10 p.m.

I am sure all members will join me in congratulating the commission chairman, Dr. D. Carlton Williams, commissioners Dorothy Burgoyne and G. H. Bayly, and the staff and researchers, for the highly competent manner in which they have dealt with a highly complex subject.

The government accepts the basic goals of the commission's recommendations for freedom of information legislation—legislation granting a general right of access to government information except for that specifically exempted and including an independent review of government denials of access. We will consider carefully all the recommendations of the commission in drafting those laws. That process is now under way and legislation will be introduced here as soon as possible.

However, some interim measures can be taken without legislation. I announced the first step in this direction a week and a half ago with the decision of the government to make available so-called internal law in designated ministry reading rooms. This policy has already gone into effect. All the reading rooms are now open to the public. This enables the ordinary citizen to find out

how and why the government is making decisions that affect him.

The manuals, policy statements, guidelines, directives and interpretation bulletins used by civil servants dealing with public or internal matters must be made available by all government agencies whether specifically requested or not. I intend to table a compendium of background information on this new policy for the benefit of all members.

At the same time I have asked the Management Board of Cabinet to review the commission's recommendations concerning protection of individual privacy. The board will determine which recommendations about data collection and storage practices of the government can be implemented under existing legislation. The aim is to provide even greater protection of personal information collected by government about an individual. Management Board of Cabinet will also produce an index of all computer and electronic data systems now used by the government to store personal information.

I have already received from Management Board some preliminary reactions to the commission report. They are very encouraging and I fully expect to have further announcements concerning this in the near future. Freedom of information is a matter of attitude just as much as it is a matter of legislation. Legislation will, of course, change the present practice of ad hoc decisions of disclosure of information.

This government is committed to greater openness in its administration and increased access by the citizen. To this end, the Premier (Mr. Davis) last week wrote to all ministers with guidelines for civil servants in communicating with the public. Let me quote briefly from that letter:

"Between now and the time freedom of information legislation is enacted and the administrative apparatus for its operation is in place, there is a great deal we can do to give the policy of open government meaning and consistency. A step that can be taken in this interim period is to encourage open and responsive behaviour among public servants in their daily dealings with the public, particularly including members of the Legislative Assembly and representatives of the news media."

The guidelines instruct public servants that the basic communications position of the government of Ontario is to be "open" as opposed to "closed" and goes on to lay out a code of expected conduct. I will be tabling that letter and the guidelines in a few minutes.



The government has made a commitment to proceed on the path of openness. Any objective observer knows today that we mean what we say.

I would now like to table the compendium of background information relating to the ministry reading rooms along with the Premier's letter and guidelines to the public service.

#### ADVISORY COUNCIL ON SENIOR CITIZENS

**Hon. Mrs. Birch:** Mr. Speaker, later today I will be tabling the sixth annual report of the Ontario Advisory Council on Senior Citizens. This council works diligently in bringing to government the concerns of senior citizens across the province. Through their visits to communities in Ontario, their newsletter Especially for Seniors, their background position papers and special reports, they promote the achievements and needs of seniors. Their annual report summarizes these very important activities.

Doug Repelje, council chairman, and Allan Upshall, vice-chairman, are in the gallery today and I would like to express my appreciation to them and the members of their council for all their efforts. They have worked enthusiastically and persistently not only in urging the community to assist seniors, but also in promoting and developing opportunities for self-help for the aged themselves.

#### TASK FORCE ON POLICE

**Hon. Mr. McMurtry:** Today I am tabling the report of the task force on the racial and ethnic implications of police hiring, training, promotion and career development.

Members will recall that this wide-ranging study was announced last November and the police community, sensitive to the issues, encouraged the initiative in this direction. The task force consists of Dr. Reva Gerstein, psychologist, educator and policy adviser, who served as chairman; Norma Bowen, an associate professor of psychology at the University of Guelph, and Chief Gordon Torrance of the Hamilton-Wentworth police force.

I believe the report will make a significant contribution in assisting the police to meet the challenge of an increasingly complex society in the 1980s. The task force makes 26 recommendations, including one which urges that police forces develop positive recruitment programs aimed at reaching qualified individuals from minority groups.

The report also states that as Canada is a multicultural society, a thorough understanding of such a society must become a major objective of the police services and also of all sectors of the community they serve.

Members of the task force remind us that what the community expects from the police should not be regarded as of lesser importance than what the police expects from the community. The report states, and I quote: "Without this crucial twinning of expectations, the task of policing will be made much more difficult and the possibility of any individual living in a safe society with freedom and dignity would indeed be remote."

There are a number of pertinent and interesting observations on such subjects as the training and education of police officers, perceptions of minority groups, the role of the Ontario Police Commission and the role of the media.

I would at this time like to express publicly my gratitude to the members of the task force for producing such an important and useful document. I want to assure Dr. Gerstein, Dr. Bowen and Chief Torrance, who are with us today in the gallery, that their recommendations are being given every consideration by the ministry and by the government of Ontario.

#### ORAL QUESTIONS

##### UNIVERSITY FUNDING

**Mr. S. Smith:** A question, Mr. Speaker, for the Minister of Education: In view of yesterday's newspaper accounts of serious budget problems in the botany department at the University of Toronto, I wonder if the minister would comment on the following rather shocking situations at that same university. Equipment at the school of dentistry is so outdated that the school's professional accreditation has been put on probation for three years; \$5.7 million in government funds originally promised in 1973 for modernization has still not been forwarded to the school; the material in the library of the school of architecture is so insufficient that students have had to dig into their own pockets to buy new books for the shelves; in 1980-81 the faculty of medicine has less than half the funds indicated to be essential for just maintaining the status quo; some of the essential equipment in the faculty of pharmacy is so old that parts are no longer available for its

maintenance in the only school of pharmacy in Ontario. Does the minister have some comment?

**Hon. Miss Stephenson:** Mr. Speaker, I am aware of the newspaper article and of the litany that was provided. I think in almost any institution in any jurisdiction anywhere one can find complaints about certain situations, particularly about the degree of modernization of equipment, space and other factors.

We have been having ongoing conversations with the universities of this province. We are very much aware of the concerns they have been expressing. We are also aware that some information that has been less than totally enlightening has been delivered as public information. But I know the universities of this province believe we will be doing our very best to meet their requirements within this province for the education of young people.

2:20 p.m.

**Mr. S. Smith:** Could the minister explain why, as the largest and most industrialized province, and up until now the most prosperous province in this country, Ontario should be 10th and last in its funding of universities on a per student basis and why the Ontario Council on University Affairs should have to issue a report, as it did in September 1980, pointing out that underfunding has affected the quality of all aspects of the universities' operations from undergraduate education to research efforts? Why have we fallen to that dismal position in this country?

**Hon. Miss Stephenson:** I would remind the member that it is the role of OCUA to make such reports to the minister and to government. In the interprovincial comparison of university funding, based upon the eight indicators which it was agreed would be used, Ontario is not 10th and last. In fact, in a number of areas it is in third place, I believe, and it ranges primarily from third to seventh or third to eighth place. That change has not been very dramatic over the past five years; it has retained that place.

The reason for that is the fact that we have institutions in this province which have been established for a number of years. Our capital program and our development of universities is of longer duration than in most other provinces and the requirements are for maintenance of that series of institutions, rather than for the establishment of new institutions, new funding and new programs.

**Mr. MacDonald:** Supplementary, Mr. Speaker: A week or so ago Dr. Ian MacDonald, president of York University, spoke to a student group there and informed them that in the last decade Ontario's per capita grants to universities had dropped to 10th place, the lowest among the provinces. Is that accurate?

**Hon. Miss Stephenson:** Could I just give the criteria that are used in the comparison? The per capita grant is only one of the indicators used in the comparative study. There is the provincial operating grant for students.

**Mr. Roy:** You've changed the rules.

**Hon. Miss Stephenson:** No, I have not changed them. I am sorry, these rules were not made by the government of Ontario; they were made by AUCC, the Association of Universities and Colleges of Canada. It was agreed upon about six years ago that all of these indicators would be taken into account. These are the eight indicators that are used: provincial operating grant per student; provincial operating grant per capita; provincial operating grant plus fees per student; provincial operating grant plus fees per capita; total operating income per student; provincial operating grant, including student aid, as a percentage of provincial gross general expenditure; provincial operating grant per \$1,000 of provincial personal income, and total university operating expenditures as a percentage of gross provincial domestic product.

In addition to that, there are a number of important factors that are not taken into account. Direct student assistance is not included in total operating income, and Ontario ranks first in this country in direct student assistance. If that were included in the total funding mechanism and in the comparison, Ontario would be third in the ranking across the country.

**Mr. Sweeney:** Supplementary, Mr. Speaker: Given that it has now been clearly disclosed for the umpteenth time that the average per student assistance in Ontario—not the highest or the lowest, but the average—is \$1,000 less than the rest of the country, what makes the minister or her ministry or her government believe the universities of Ontario can offer an appropriate or adequate education compared to the rest of the country on \$1,000 less per student operating costs—not capital, but operating? That is why we have the problem. How are they supposed to do that?

**Hon. Miss Stephenson:** I thought I had just explained to the members that they are ignoring a very important portion of the sup-



port to universities. If that is included, the reduction from the national average is not as great as the member would lead us to believe. There are economies of scale that are reached within Ontario universities because of their size, because of their comprehensiveness and because of the fact that they have been established for a very much longer period of time in many instances than those in other provinces.

**Mr. Cooke:** The minister can play around with statistics all she wants, Mr. Speaker, but how does she respond to the specific cases at the University of Toronto?

**Hon. Mr. Norton:** At least she understands; you don't.

**Mr. Cooke:** Is that minister worried about the Queen's University students in his riding? I would be if I were he.

Interjections.

**Mr. Cooke:** How does the minister respond to the specific example given at the University of Toronto and other examples across this province and at various universities where the buildings are falling apart because they can't make capital repairs? Their equipment is years and years behind because they don't have the capital to put new equipment in. How does she respond to the Ontario Council on University Affairs report? That is an independent body; it is not an advocate for the universities; it presents facts to the minister; the report says the system is on the brink, and Dr. Winegard testified to the standing committee on social development in that exact way.

**Hon. Miss Stenhenson:** Mr. Speaker, I listen very carefully to the advice of OCUA and attempt to take it into very serious consideration in all decisions that are made related to the funding of the university system.

There are circumstances in a number of institutions which I am sure could be cited and certainly not all of those institutions are within this province. There are ways in which the universities themselves, because they are autonomous institutions, can modify circumstances within their own boundaries. I believe it is their responsibility to do so.

As far as the dental school at the University of Toronto is concerned, we have been having discussions and it is my hope we will be able to find a way to ensure that the quality of that program, which is one of the best in Canada, will be maintained.

The universities are a very important part of this society, an extremely important part. They have never lost their priority as far as

this government is concerned, but they have been subjected, just as all other sectors of our society have been subjected, to the constraints that have been imposed by inflation. We all must deal with them, the university sector no less than any other.

**Mr. S. Smith:** I still don't understand why Ontario should be under the national average to any extent.

#### AID TO PENSIONERS

**Mr. S. Smith:** A question to the Minister of Revenue: I have spoken with senior citizens from all over Ontario, Mr. Speaker, who feel very aggrieved because they are losing money under the new tax grant scheme. I know all members have had these types of calls.

In view of the statement made by the Provincial Secretary for Social Development (Mrs. Birch) and the presence in the audience today of people who care about senior citizens, can I ask the minister once again, will he consider changing this grant system so that no pensioner would have to receive less under the new system than she or he did under the old tax credit system?

**Hon. Mr. Maeck:** Mr. Speaker, I said before that most people are not taking into consideration the increase in the guaranteed annual income that has been given to them. Many people who think they are receiving less are getting more than they were before if they take that into consideration. If there is to be a change in policy, it would have to come from the Treasurer (Mr. F. S. Miller) rather than the Minister of Revenue. The Leader of the Opposition very well knows that.

**Mr. S. Smith:** By way of supplementary, and since the Treasurer and the Premier (Mr. Davis) are out of the chamber at the moment, I am speaking to the minister—oh, there is the Treasurer. I will allow the Treasurer to take his seat and ask the question while he is moving.

Interjections.

**Mr. S. Smith:** It is more of a contest when it is a moving target.

This is not the first time the government has been in exactly this situation. Back in 1970 when the property tax credit system was introduced for seniors, originally it excluded seniors living in institutions, but that was then changed. After an uproar, the government changed that by making regulations. 2:30 p.m.

Is the Treasurer aware that under the present act, passed this year, the minister

may make regulation 17(b) prescribing classes of persons to be eligible persons who reside in premises that are not a housing unit? In other words he got into the same pickle in 1970. He changed it by moving via regulations then. Why doesn't he do exactly the same thing now, correct the error, and make sure that no pensioner has to accept less under his system than he would have had to accept under the old system?

**Hon. F. S. Miller:** Mr. Speaker, first it is not an error. Let's start out by being quite clear about that. That was discussed and debated at some length during the bill itself and I believe during even some of the estimates—the discussions at least.

The decision to pass another \$420 a year through to people who are in nursing homes—

**Mr. S. Smith:** Four hundred and ten dollars.

**Hon. F. S. Miller:** Four hundred and twenty extra dollars on the comfort allowance were passed through because in July we agreed not to do what we usually do and that is keep the comfort allowance at \$61 a month.

**Mr. S. Smith:** You pocket the federal moneys.

**Hon. F. S. Miller:** Of course, because in fact those people are heavily subsidized. We are pocketing some of our money and some of their money because that money was aimed at keeping them supported in their home, in the street, or to help towards paying for their accommodation in a home for the aged or nursing home.

**Mr. Foulds:** Don't be so cheap.

**Hon. F. S. Miller:** Would you like to listen to the answer?

Interjections.

**Hon. F. S. Miller:** The job of government is, of course, to tailor the assistance to people to match their needs. The property tax credit program, which I can tell the member is being very well received around this province is tailored to help people pay property taxes on their homes and to stay in them or to help them pay rent. We do heavily subsidize people in nursing homes and people in homes for the aged. In fact, we pay something around \$20 a day for every person in a nursing home in the province. That is over \$600 a month towards their keep and still leaves them \$96 a month in cash money to spend upon those things they want.

**Mr. S. Smith:** How generous.

**Hon. F. S. Miller:** How generous? Well, let the member talk to the administrators of those homes and they will tell him that is more than most of them can possibly spend. We increased that amount by \$420 a year this year for people who are on Gains and, in fact, with the average cheque being \$431 for people in their homes, we increased it by almost exactly the same amount of money as we are sending out in the cheques.

**Mr. R. F. Johnston:** Supplementary, Mr. Speaker, and back to the Minister of Revenue, if I might, who was the initial respondent. It is to do with further errors and mistakes in the property tax grants.

I received a call this morning from a constituent who had just received a cheque for \$4.32 when he should have received a cheque for \$432 for his tax rebate. I called the information services of the ministry and was told there was a jumpy computer—I don't know if it's the same computer as the Minister of Education (Miss Stephenson) had with OSAP—but a jumpy computer that's doing this all over the place. I want to know what the minister is going to do to make sure that senior citizens are not left with inappropriate and inadequate amounts.

**Hon. Mr. Maecck:** Mr. Speaker, we are all familiar with computers, I suppose, and from time to time computers do make mistakes. The cheques that are written on behalf of the Ministry of Revenue are done by the Ministry of Government Services. We don't do them in our own ministry. Certainly I will look into it and see if that is the fact. If it's a case where the computer is making a mistake, we are happy to correct the situation.

**Mr. Epp:** Mr. Speaker, I have a supplementary question for the Minister of Revenue. Given the fact that his ministry is spending hundreds of thousands of dollars in order to tell the seniors how much money they are getting, would he consider and recommend to the cabinet that he cut off those advertisements in the newspapers and on the radio and television—

**Mr. Bradley:** "Because Ontario cares."

**Mr. Epp:** —"Because Ontario cares"—and give it to the seniors where it should go rather than to the large advertising agencies across the province?

Interjections.

**Mr. Speaker:** Do you want a response?

**Hon. Mr. Maecck:** We are dealing with a brand new program. We are dealing with



820,000 senior citizens, that is how many there are, and I think it is incumbent upon this government and this Legislature to inform those senior citizens of the program that is available to them. I have no intentions of cutting back on the advertising. The program will go as planned and I hope when we are finished that the senior citizens will be well aware of the program.

**Mr. Di Santo:** Mr. Speaker, I cannot avoid thinking that the answer of the Minister of Revenue is very similar to the answer that the Prime Minister gave yesterday about the federal advertising, but my supplementary is to the Treasurer.

If the philosophy of the Treasurer's tax rebate is, as he said, to help people pay property taxes and to help them keep their houses, does he not think that with his scheme, if that is the purpose of the scheme, he has excluded two groups of citizens who are in the very similar position to senior citizens, namely the injured workers with no other income and recipients of Canada Pension disability? Does he not think it is his duty to include those groups in his scheme?

**Hon. F. S. Miller:** Mr. Speaker, the program is only aimed at senior citizens at this point. We did listen to criticisms made of it, as the member knows since he made some, and I think he would have to agree that we adopted some positive suggestions and did our best to look after senior citizens. It is very difficult then to expand that to the other groups, because one would have to look at all of the programs for people under 65. I know my colleague the Minister of Community and Social Services (Mr. Norton) is constantly doing that.

**Mr. Mancini:** Supplementary to the Minister of Revenue, Mr. Speaker: In view of the fact that my constituency office has received many phone calls over the summer and through this past September, what am I to tell the senior citizens who are losing this money, who will have to deny themselves the few luxuries in life, other than the fact that the government has made political hay at the expense of the elderly poor?

**Hon. Mr. Maeck:** I think there is one point that is being missed here completely, and that is the fact that if someone pays lower taxes or lower rent he obviously has more money at his disposal after he has paid it than the people who pay higher taxes or higher rents. To me it seems reasonable and fair that those who are paying lower taxes or lower rent would not receive as much

money as the ones who are paying more. It may be that there are a few who are going to get a little less money in total—

**Mr. Warner:** A few. A hundred thousand.

**Hon. Mr. Maeck:** It is 95,000, as a matter of fact, out of a total of 820,000; not too bad a figure. I must say, Mr. Speaker, that many of those people come from ridings such as yours and mine. I think it is fair to say that those people who are paying lower taxes or lower rent probably have more money at their disposal after the payment of that than the people who pay the higher amounts. I think it is reasonable and fair.

While I am on my feet, dealing with the advertising program, if one were to figure it out, the cost is approximately \$600,000, which is 79 cents per senior citizen in Ontario. I can hardly send out a letter for that.

#### EXTRA BILLING BY PHYSICIANS

**Mr. Cassidy:** Mr. Speaker, I have a question for the Premier. In view of the strong recommendations of the Hall commission report with regard to extra billing by doctors, and in particular in view of the findings of the Hall commission report that extra billing is inequitable, that it denies medical services to the poor, that it is a tax on the sick and that it will destroy the medicare system as we created it 13 years ago, is the government now prepared to bring in legislation to establish one-price medicare for every resident in Ontario?

2:40 p.m.

**Hon. Mr. Davis:** Mr. Speaker, there were many recommendations in the Hall commission report. Unlike the member for Sudbury East (Mr. Martel), I do not just look at one problem. One has to take them in their entirety.

**Mr. Swart:** Just answer the question.

**Hon. Mr. Davis:** I say to the member for Welland-Thorold, after his performance the other day he might be wise to be quiet for once in his life. That is one of the greatest statements: "I oppose it in principle, but when it affects me personally, I am prepared to break my principle and accept the money."

Mr. Speaker, I would suggest, and I say this being as constructive as I can, the Hall commission report is being assessed by the ministry. The Minister of Health (Mr. Timbrell) himself will be here, if he is not already since I stood in my place. I would suggest it might be an occasion not only to ask that question but to have some discussions on the many recommendations within the report.

If the honourable member is asking me whether we are contemplating immediate legislation related to the subject matter he raised, the answer is we are not. The report itself is being assessed by the other ministers of health across the country, including the federal Minister of National Health and Welfare. My impression is, and I am only going by memory, that all the ministers of health, including the federal minister, have agreed to meet again some time fairly soon to consider further the recommendations in the report. I think I am right in that last observation.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Since the Hall commission report endorsed the findings of a study in four counties of Ontario which indicated that a third of the households were having to pay extra bills coming from doctors who charged over the OHIP rate, that extra billing was significantly more likely to affect poor people who were delaying going to the doctor or were not going to the doctor because of the extra billing, and that 60 per cent of the patients who were extra-billed said they were embarrassed to go to the doctor to talk about fees, I would like to ask the Premier if that is acceptable to the government. If it is not acceptable, what is the Premier going to do about it?

**Hon. Mr. Davis:** Mr. Speaker, I think the minister has already made it clear that as a matter of government policy we do not find that practice acceptable. He has been, with some measure of success, developing a process or an understanding in the province under which that would be diminished.

**Mr. Conway:** Supplementary, Mr. Speaker: Since the Premier has indicated that the government is undertaking an examination of the Hall commission report, can the Premier indicate whether the government of Ontario has had the benefit of seeing, privately at least, the full study commissioned by Mr. Hall and done by Professors Woodward and Stoddart with reference to the impact of opting out as it was looked at in four Ontario counties—Simcoe, Halton, Waterloo and one other? Has the Premier had the chance to get that material which is so vital in so far as our jurisdiction is concerned? If he has not, can he indicate whether he or the minister will be pressing for its public release in the very near future?

**Hon. Mr. Davis:** Mr. Speaker, I personally do not have it. Perhaps the minister does. I would say to the honourable member, if he would like to ask the minister that question, I am sure he would be more than prepared to answer it.

**Mr. Cassidy:** Mr. Speaker, is the Premier aware that same study found that 45 per cent of the people who were extra-billed were charged more than the Ontario Medical Association's rate, let alone being charged more than what OHIP would pay? Is that acceptable to the government? Does the Premier not accept that doctors are not going to back down voluntarily until there is legislative action by the province to bring back one-price medicare in Ontario?

**Hon. Mr. Davis:** Mr. Speaker, I do not have the figures at my fingertips at the moment but my recollection is that the last report we received from the Minister of Health indicated the number of doctors who were opting back into OHIP has increased, or the number who are out has diminished, whichever way you wish to look at it.

Of course I am not a member of the profession but I would be disappointed if members of the profession are charging above the OMA fee schedule. I was not aware of this. I know in the legal profession we never charge over the tariffs or fee schedules we have, do we?

**Mr. Breithaupt:** While the Premier is discussing with the Minister of Health the release of that one piece of reference material, would he not agree that in order that the recommendations of Mr. Justice Hall can be thoroughly considered, all the reference materials and reports that go to make up that study should become a part of the public information?

**Hon. Mr. Davis:** Once again the honourable member can correct me if I am wrong, but my recollection is that the Hall commission report is federal. Unlike the Hall-Dennis report, where everything was made public and which was a provincial study totally endorsed by the member for Brant-Haldimand-Norfolk-Oxford and any other part, this is a royal commission report to the government of Canada. I don't know what their policy is. If their policy is not to be as open as we are in the government of this province, I can't comment on that.

I know the honourable member has far closer communication with the government of Canada than I have, and if he were to ask the federal minister of health if she were prepared to release those documents that are the appendices to or make up parts of the Hall commission report, she might reply to him with far greater alacrity than she might reply to me. However, I will be delighted to ask Ontario's Minister of Health if he knows whether the government of Canada in its



wisdom, or lack of wisdom, is prepared to release those documents.

**Mr. Peterson:** Have you taken out a membership in the Liberal Party?

**Hon. Mr. Davis:** I just have to say to the honourable member, as he is a relative of one of the senior ministers in the great government of Canada, solving all of the economic and energy issues of the day by sitting around doing nothing, he is closer to them than I am.

Interjections.

**Mr. Speaker:** Order. Order. The response to the out-of-order interjection was just as ridiculous as the interjection itself. A new question.

### DAY CARE

**Mr. Cassidy:** Mr. Speaker, I have a new question for the Minister of Community and Social Services. Since there are now more than 4,000 children on the waiting list for day care in Metropolitan Toronto, and since there are almost no facilities to meet the needs of parents looking for day care for infants in Metro, what action does the government intend to take in response to the very modest request of the metropolitan council for the province to participate in providing 500 more day care spaces in Metro in 1981?

**Hon. Mr. Norton:** Mr. Speaker, prior to our receipt of the copy of the metropolitan task force report, I indicated both to the chairman of Metropolitan Toronto and the chairman of the social services committee, Mr. Cressy, that upon receipt of that report I would give it very thorough and careful consideration. I was particularly impressed with the responsible approach they have taken in their request to the province with respect to next year.

I am not in a position at this point to make commitments in terms of the next fiscal year until our own budget planning is completed, but I will certainly be giving serious consideration to their request.

**Mr. Cassidy:** Supplementary, Mr. Speaker: this morning I met with a Vietnamese woman who has two children for whom she can't afford day care because her husband's income is \$210 a week and she has an infant for whom she can't get infant care under any circumstances at all. How can the government say it is helping women to get back to work when this woman can neither get language training nor take a job if she can't get day care for her children when she needs it right now?

**Hon. Mr. Norton:** Mr. Speaker, I am sure there are other cases I and you and others in this House could relate to the Legislature in specific instances. There is no way I can assure the honourable member, nor if he were in my position could he assure me, that I can meet everyone's needs immediately. What we have to do and what we are doing is planning and moving responsibly in the direction of meeting those needs.  
2:50 p.m.

I understand this morning that the honourable member was visiting some day care facilities in the city—or planning to later today, I am not sure which. I saw a copy of his press release.

In addition to the facilities he is visiting, I would suggest he check some of the numerous day care services that are available surrounding some of those centres and inquire of Metropolitan Toronto how many subsidized vacancies there are in some of the centres in the area he will be visiting.

**Mr. S. Smith:** Supplementary, Mr. Speaker: Could the minister respond to a concern which was told to me during my recent trip to Ottawa, that there might have to be an actual reduction in the number of day care places in Ottawa-Carleton unless the same funding arrangements that have been offered to Toronto are offered in the Ottawa area? Could the minister explain whether that is correct and whether it is his intention to offer to the municipality of Ottawa-Carleton the same kinds of funding arrangements that have been offered to the municipality of Toronto, since surely he would agree that Ottawa ought to receive no less consideration than Toronto?

**Hon. Mr. Norton:** Approximately a week and a half ago I met with the chairman of Ottawa-Carleton and made the commitment and agreed to do precisely that. That has already been done.

Just to show members I don't always go screaming to the newspapers to get the credit, when we do something very significant like that, I would say the members on this side of the House from Ottawa acted very responsibly and worked with me to work out a solution with the region, which is on the same basis as that in Metropolitan Toronto.

I would also suggest that those members from Ottawa and those municipal representatives from Ottawa take a very serious look at the way in which they are at present funding day care in that community.

**Mr. Cassidy:** Oh, boy!

Hon. Mr. Norton: You say, "Oh, bull."

Mr. McClellan: He said, "Oh, boy." The minister is deaf.

Hon. Mr. Norton: Just consider this. There are waiting lists in Ottawa of needy, low-income families, while that municipality is channelling provincial money into subsidies to very high cost day care to families that can well afford to pay their own way.

The per diem rate in one centre alone in Ottawa is \$31 or \$32 a day per child, and no one is paying more than a maximum of \$17. I think the rates are outrageously high, as Ottawa generally has been in the past. Secondly, I think it is irresponsible for them to be using money that was intended to assist needy families and to put it into a topping-up subsidy to high-income families.

I suggest they could open numerous additional spaces for needy families in Ottawa if they would simply change their policy. I have indicated that to the chairman. I have previously indicated it to members of that council. I suggest to the member it is a purely political decision by the members of that council.

If they really want to help some of the needy families in Ottawa, they know how they can do it.

Mr. Cassidy: Supplementary, Mr. Speaker: Would the minister not agree that the funding that was provided in Ottawa-Carleton was a totally inadequate ad hoc response and that his attack on day care services in Ottawa-Carleton is a complete abdication of his responsibility, which should be to ensure that there is adequate day care available, rather than trying to force one day care centre to fight against another one?

Would he not agree that when there are 4,000 people looking for day care services in Toronto and 1,000 on the waiting list in Ottawa, it isn't just one isolated case of a Vietnamese woman who speaks no English and can't get language training; there are 5,000 cases of people who need day care who can't get it? Over the last four years, 100,000 working women have come into the work force and there have been only 5,000 day care places open. How can that be considered to be an adequate response to the need for universally accessible day care in Ontario?

Hon. Mr. Norton: At no time have I denied there are needs extant in our community that we must continue to strive to meet. I've never denied that. We can quibble over figures. I haven't seen the list of 4,000 people. I don't know what duplication there is. There

is no point in arguing that. I recognize there is a need there that we do have to strive to meet.

However, what I'm trying to emphasize to the member—and he might relay this to some of his political colleagues on the Ottawa-Carleton council—is that there are major things they can do to meet more effectively the needs of the people in that community. For example, if they were to change their policy of subsidizing high-income families at the expense of low-income families, they could meet the needs of far more people.

Second, this year's allocation to Ottawa-Carleton was not inadequate. The reason we had to provide them with some additional funding was again an administrative problem that they had because they too had opened more spaces, unwittingly perhaps, but nevertheless they had opened more spaces than they had been funded for because they were not sure of what they were doing.

Mr. Speaker: A new question. The member for Waterloo North.

Interjections.

Mr. Speaker: Order. The honourable member who has the floor is entitled to the courtesy that should be extended automatically to all members of the House.

#### ARBITRATION AWARDS

Mr. Epp: Mr. Speaker, I have a question of the Premier. Given that firefighter arbitration awards in Ontario are reaching astronomical heights of 15.4 per cent to 29 per cent for a one-year award, and up to 35 per cent for two-year awards, and given the fact that the city of Waterloo recently sent a letter to the Premier requesting that a royal commission be established to study the system of arbitration awards across the province, will the Premier indicate to this House whether he has accepted that recommendation and, if so, what the terms of the commission will be?

Hon. Mr. Davis: Mr. Speaker, no, we have not accepted that recommendation. We are concerned, as all members are, with respect to some of these situations. At the same time I am sure the honourable member is not personally prepared to commit himself or his party as being opposed to arbitration as being an equitable way in most situations to resolve outstanding disputes. I think the complexity of this is that if you once decide that arbitration is the most equitable way and it is put into the hands of an arbitrator, you are then faced with the results.



What I was not able to ascertain from the suggestion—and suggestions have been made by some of the municipalities relating to arbitration awards for firefighters and also for police—is just what the alternatives are. I would be interested to know what alternatives the honourable member might have to suggest that would not in fact infringe upon the bargaining process.

He might suggest there be upper limitations on the arbitration. I guess if one were to say there should be upper limitations, then one would also have to take a position that there would have to be certain minimums as well. So then one would have, by some statute or some legislation, determination of the parameters within which an arbitrator must work.

I am quite sympathetic to the problem, I would say to the honourable member, and I will be so communicating. But I have to say that at this moment we do not feel a royal commission per se, which I think would indicate there are some awards that municipalities find great difficulty in meeting, would provide better alternatives.

**Mr. Epp:** A supplementary: Given the fact that the Premier wants my views on arbitration, and given the fact that by establishing a royal commission he has an opportunity to obtain those views. I wonder whether he would reconsider his statement and decision not to establish a royal commission?

Second, I wonder if the Premier would indicate to this House what the municipalities should tell their employees, because the morale across this province is dropping where the high arbitration awards are given, because some employees are negotiating at 10 per cent and then are having arbitration awards anywhere from 15 to close to 30 per cent. What would the Premier tell these various municipalities as to how they should deal with the low morale of their employees when these high arbitration awards are being established?

**Hon. Mr. Davis:** In the municipality that I come from the morale of municipal employees committed to the public service is always very good. I cannot speak for the community which the member used to represent in terms of municipal service and now represents here in the provincial Legislature.

I would also say to the honourable member that I am really very surprised and disappointed in a man of his capacity who says to me that he feels we should have a royal commission before he is prepared to express his personal points of view on how the issue may be resolved. I have never felt he was reluctant to express a point of view at all.

3 p.m.

## UPPER OTTAWA STREET DUMP

**Mr. Isaacs:** Mr. Speaker, I have a question for the Minister of the Environment. Given that it is becoming increasingly clear that many of the problems of the Upper Ottawa Street dump are being caused by wastes which did not originate within the Hamilton-Wentworth area but which came from across Ontario and indeed from the United States as well, will the minister agree that it is most unfair to place responsibility for dealing with those problems on the taxpayers of Hamilton-Wentworth? Will the minister admit that the dump on Upper Ottawa Street is a problem of major provincial concern and will he accept responsibility for dealing with the problem instead of leaving it to the regional council?

**Hon. Mr. Parrott:** Mr. Speaker, two or three points should be made. First, I am sure the member opposite knows as well as I do that for a long time the site has been the property of the city of Hamilton and the regional municipality. The letter that apparently was well received the other night by the regional council suggested that if more studies are required we would share that cost. Indeed, the other day the Minister of Health (Mr. Timbrell) said they would pay for the health study cost.

I think the truth of the matter—in answering the member's question—is we have funded those things that he is asking for in a very direct way—50 per cent of the cost of the study to find out what is in there and what is occurring, and then the whole health study. I do not know what more he would expect this government to do than what we have already done.

**Mr. Isaacs:** A supplementary: Does the minister not realize that the level of expertise that is available regionally simply may not be sufficient to deal with the problems and we may see more money being spent on reports like the Gartner Lee report, which comes out only to be criticized by ministry officials?

Surely the minister has to agree that we need the top-most experts in North America working on that problem and those experts should be commissioned by the ministry, instead of playing around with these games of going through regional council to get reports that are open to question the moment they are published.

**Hon. Mr. Parrott:** We already suggested in the same letter, of which I'm sure the member has a copy, that we will give the expertise of our ministry to it. It is kind

of interesting that if we ask somebody else to do it, then it should be us; but if we do it, then of course we are not competent. The member wants it both ways. I'm sorry, he does not get it both ways.

We are funding 50 per cent. They can use who they want because we do not want any doubt in anyone's mind but that it is a very open, objective analysis. Now the member is saying it should be another set of experts. We did not choose the experts, nor should we; they did. They are pretty competent people in the member's region. I am surprised that the member continuously criticizes the people of his own community; that does surprise me. They chose those and rightly so. If they want to choose another firm, we will fund 50 per cent; not only that, we will give the expertise of our ministry.

**Mr. S. Smith:** With the expertise of the ministry and 75 cents, they can get a cup of coffee.

Let me ask the minister if he is familiar with the fact that the Gartner Lee report suggests a great many things that have to be done—certain shafts that have to be sunk, certain tow drains have to be put in, continual monitoring and so on—which will be very expensive indeed. Is it the province's view that the region should have to pay for those things, which after all are necessary only because, contrary to his own certificate of approval, the minister let them bring in wastes from all over North America? Should not the province agree to pay for all these measures and monitoring stations, the holes that have to be sunk, the tow drains and so on that the Lee report has recommended?

**Hon. Mr. Parrott:** The Leader of the Opposition has a very convenient memory. There is no doubt that we have said to the chairman of the region that if more is required to have a full and complete understanding, we would share that with them. I think that is the way it should be. After all, that site is theirs and has been theirs for some time. There is a good deal of responsibility that is fairly and squarely placed and, interestingly enough, the leaders of that community—the real leaders of that community, I might add—are more than prepared to accept that.

I think the letter the other night in council was accepted, that they are going to do several things. One thing was that the health of the people would not be in jeopardy and that a survey would be done. Second, any survey of that site would give an unconditional understanding of what

was there and how it could be treated. There are no short circuits on this one. We want the fullest and best understanding it is possible to have and we are prepared to pay for that. To put all of the responsibility on the province, when that site was run by the municipality, I think is not an appropriate request.

#### BOARD-TEACHERS DISPUTE

**Mr. G. I. Miller:** Mr. Speaker, I have a question of the Minister of Education. Does the minister feel it is now time to review Bill 100, which was brought in on July 18, 1975, with a view to developing a better process for settling disputes between boards of education and teachers, inasmuch as the OSSTF struck against the Norfolk Board of Education on October 2 after 20 months without a contract? Although a mediator was appointed, I believe in June 1979, at considerable expense to the taxpayers of Ontario, they failed to reach a settlement. I have been told that 50 students out of 3,750 are now receiving education outside the area.

**Hon. Miss Stephenson:** Mr. Speaker, I would have to believe after listening to that question that the honourable member's information is as deficient as the information apparently provided to the fund-raisers for the Liberal Party. I have in my folder a letter from one Bruce Stewart asking me to contribute to the Ontario Liberal Party coffers in support of their aspirations. I have to say Mr. Stewart's aspirations are indeed misplaced.

I am sure the member must know that in the spring of 1979 we began an internal review of Bill 100 because we felt it was appropriate after the length of time it had been in existence to do just that and to review its success. Following that internal review, the decision was taken to appoint an external review committee, of which Dr. Matthews, the president of Waterloo University, was the chairman.

That committee held hearings throughout the province, received briefs about Bill 100 and wrote a report which was delivered to me in mid-July of this year. That report has been widely distributed. Its content is entirely on all aspects of Bill 100. The responses to the Matthews report are being collated at this time, and we will be looking very seriously at all of them and at the report when all of those are in, which I anticipate will be by the end of October. Yes, we are looking at Bill 100.

**Mr. G. I. Miller:** I think we asked for a review back in 1978 when the Haldimand



Board of Education had its strike. Does the minister not feel that the students' rights are being abandoned under the present system, when we have a petition from the parents containing some 2,500 signatures expressing concern that their young boys and girls are not in school and don't have the right to get an education? Does the minister not feel she should be acting more quickly?

**Hon. Miss Stephenson:** It is a matter of grave concern to all parents, all students, all school boards and, in fact, everyone in Ontario. I do believe this is something that should be considered very seriously before major or dramatic changes are taken. The recommendations within the Matthews commission report would provide some mechanisms for shortening and condensing the period of negotiations, to try to reduce frustration and therefore produce less in the way of antagonism and hopefully minimize the number of strikes and lockouts.

3:10 p.m.

We do want to hear from all of those who have received the report, and many hundreds of copies have been sent out. As a matter of fact, it was a best seller within the province in the month of July. Those responses are coming in now. We will be looking at everyone's opinion about it and we will be making recommendations about it. There is no doubt in my mind that the primary concern of everyone related to the school system is the welfare of the students who are involved in the educational program. That is the primary concern of the Ministry of Education, and that will be uppermost in our minds in making any modifications.

**Mr. Nixon:** Final supplementary. Mr. Speaker: Would the minister not agree that the students, 3,600 of them, who are at present not in school because of this continuing strike, are not well served by the minister's answer that she is simply waiting for discussion on her circulated report on Bill 100? Why can't she realize that the strike will be settled perhaps three months from now, but that we really can't afford to leave the schools closed that long? Why can't the minister lead the Legislature in taking the proper position to end that strike, so that for the advantage of the teachers and the students we can get the schools open?

**Hon. Miss Stephenson:** The former leader of the Liberal Party is distorting just slightly what I was attempting to say. We are not awaiting the report or the decisions about Bill 100 to look very carefully and seriously at the matter of the cessation of the educa-

tional program within that jurisdiction. The Minister of Education is very much aware that the Education Relations Commission is attempting right now to ensure that there will be mediation in an attempt to solve that strike very rapidly, and I am hopeful that indeed will happen.

#### MASSEY-FERGUSON

**Mr. Makarchuk:** Mr. Speaker, in view of the fact that the federal government has appointed a fact-finder to examine Massey finances and possible federal government involvement in the rescue operation, is the province considering the appointment of a similar fact-finder to work in conjunction with the one the federal government has appointed, to ensure that Ontario interests are protected and also to ensure that the Ontario government would receive information that could be of value should there be a bail-out process started later on?

**Hon. Mr. Grossman:** If we thought the fact-finder appointed by the federal government was in any way inadequate, then I would see some point in adding someone to that crew; but I think it is quite an adequate task force they have set up. Second, the federal government to date has shared all information with us and we have shared all the information we have with it. They have assured us that relationship will continue, so I see no reason to duplicate efforts that are going on.

**Mr. Makarchuk:** Supplementary: What assurance do we have, or what channels of communication does the ministry have, in that case, to ensure that it receives the information very quickly and very accurately as to what exactly is happening in that corporation?

**Hon. Mr. Grossman:** I can tell the honourable member that we have day-to-day communications at the deputy minister's level. Until last Thursday or Friday we have had daily communications between my deputy and the senior officials of Massey-Ferguson. We have also for some weeks retained a private-sector consultant to advise us on the current financial status of Massey-Ferguson. We have been totally and fully informed and at all times have had the same amount of information the federal government has had.

**Mr. Nixon:** Supplementary: Does the information that the minister has concerning the current debt status of Massey confirm the fact that important tests of their bank loans are due at the end of October and that if they are not passed, to the satisfaction of the creditors,

the company may go into bankruptcy? Will the minister acknowledge that deadline and indicate whether government policy will be announced by that time?

**Hon. Mr. Grossman:** It is hard to say, because it is up to the creditors to respond to the requests of the federal minister, who requested those creditors to withhold any premature withdrawal of credit until they had had a chance to deal with the situation. Prior to that statement, I would have expected that the creditors would be considering withdrawal by about the end of October. How the creditors will respond to the statements of last week is still very much open to speculation, and I hope, as a result of Mr. Abell's efforts, that perhaps we will have a better handle on that after he has spoken with some of them, perhaps as early as the end of next week.

**Mr. Makarchuk:** Supplementary: In view of the fact the minister said his government is fully aware of what is going on at Massey-Ferguson, was the government aware of the fact the stock is going to be turned over from Argus Corporation to the pension fund before it happened?

**Hon. Mr. Grossman:** We can only be as up to date on the situation as there are decisions made. If the member is asking me did I know, or did Herb Grey—

**Mr. Makarchuk:** Did the minister read about it in the papers?

**Hon. Mr. Grossman:** I say to the member with all respect, that is similar to asking the employees when they found out the pension fund was going to get that gift, and if they knew that when Conrad Black made that decision.

I can also tell the member that I cannot, nor can he or Herb Gray, read Conrad Black's mind. I have made it very clear that he failed to communicate information at what I thought was a fair and reasonable point in time. I can also say that as soon as he apparently made that move, which was at 10:30 or 11 o'clock the night before the statement was issued, government officials at both the federal and provincial levels were made aware of the situation immediately upon the decision being taken, but I cannot suggest that we are aware of decisions before they are taken.

#### GANG KILLING

**Mr. Kerrio:** Mr. Speaker, I have a question of the Solicitor General regarding an incident that occurred in Hamilton which is of great concern to me, and I am sure to him as well. I just want to read from a letter that will explain the question:

"Exactly one month ago my brother, the late Mr. John Vernon Turner, died in Hamilton General Hospital. He was a 22-year-old victim of a gang beating, the beating taking place in the plush lobby of the Hamilton Place auditorium. This gang, the notorious Parkdale gang of Hamilton, is known for its criminal activities. Why haven't any of these criminals been apprehended yet?" I pose my question just exactly like that, Mr. Speaker.

**Hon. Mr. McMurtry:** Mr. Speaker, there is no question but that killing was certainly one of the most brutal crimes which has occurred, in my memory, and I can assure the member that obviously everyone is very concerned about it.

I met with the police chief of the Hamilton-Wentworth force as recently as yesterday to review the progress they were making in relation to that matter. Very substantial police resources have been allocated for the investigation. As the member knows, one suspect has been identified; there is a warrant out for his arrest, and a search is going on for him in the western part of our nation.

I am assured the investigation is being conducted as thoroughly and in as dedicated a fashion as possible. There is no question but that the law enforcement officers in the Hamilton-Wentworth area are just as outraged by the brutality of that crime as anyone else.

#### REPORTS

##### ONTARIO ADVISORY COUNCIL ON SENIOR CITIZENS

Hon. Mrs. Birch presented the sixth annual report of the Ontario Advisory Council on Senior Citizens.

##### COMMISSIONERS OF ESTATE BILLS

**Mr. Speaker:** I would like to inform the House that the Clerk has received from the commissioners of estate bills favourable reports on two private bills.

**Clerk of the House:** On private Bill Pr21, An Act respecting the City of London, the report reads as follows:

"The undersigned, as commissioners of estate bills as provided by the Legislative Assembly Act, RSO 1970, Chapter 240, having had the above-noted bill referred to us as commissioners, now beg to report thereon.

"We have investigated the desirability of the proposed legislation. We are of the opinion that the provisions of the bill are proper for carrying into effect its purpose and



it is reasonable that the said bill should pass into law.

"We enclose a copy of the bill which we have duly signed."

The report is signed by Mr. Justice Jessup and Madam Justice Wilson.

**Mr. Speaker:** I hope we can read this in Hansard; we are certainly not getting it here now. Is there anything the console operator can do about that?

**Clerk of the House:** An identical report has been received with respect to Bill Pr33, signed by the same two commissioners.

3:20 p.m.

## MOTION

### HOUSE SITTINGS

Hon. Mr. Wells moved that when the House adjourns tomorrow, Friday, October 10, it stand adjourned until Tuesday next, October 14.

Motion agreed to.

## INTRODUCTION OF BILLS

### TOWN OF MIDLAND ACT

Mr. G. Taylor, on behalf of Mr. G. E. Smith, moved first reading of Bill Pr36, An Act respecting the Town of Midland.

Motion agreed to.

### GOULD'S DRUG STORE LIMITED ACT

Mr. Villeneuve, on behalf of Mr. Williams, moved first reading of Bill Pr35, An Act to revive Gould's Drug Store Limited.

Motion agreed to.

### MINISTRY OF THE ENVIRONMENT AMENDMENT ACT

Mr. Isaacs moved first reading of Bill 162, An Act to amend the Ministry of the Environment Act.

Motion agreed to.

**Mr. Isaacs:** The purpose of the bill is to confer responsibility to the Ministry of the Environment to manage all aspects of a situation that has been designated an environmental disaster by the Legislative Assembly of Ontario.

### UPPER OTTAWA STREET ENVIRONMENTAL DISASTER ACT

Mr. Isaacs moved first reading of Bill 163, An Act to declare the Upper Ottawa Street Landfill Site to be an Environmental Disaster.

Motion agreed to.

**Mr. Isaacs:** Mr. Speaker, the purpose of the bill is to declare the Upper Ottawa Street landfill site in the city of Hamilton to be an environmental disaster. The bill is complementary to the previous bill.

## ORDERS OF THE DAY

### PRIVATE MEMBERS' PUBLIC BUSINESS

### AID TO PENSIONERS

(Mr. Ruston moved) resolution 28:

That, in the opinion of this House, the provincial government should make available a basic, free-of-charge dental care plan to all residents of Ontario 65 years of age and over who are in receipt of Gains benefits. Such "basic care" would include preventive services, simple restoration and full or partial dentures.

**Mr. Speaker:** The honourable member has up to 20 minutes. If he wishes to reserve any time for a wrapup, he may notify the officials at the table.

**Mr. Ruston:** Mr. Speaker, I am pleased to have my resolution before this House today. It was presented and put on the Order Paper early last spring and, when the House adjourned, it now comes to the first week of our sitting.

I suppose there are other things just as important as the resolution here today, owing to economic conditions in the province and so forth, but I believe this resolution is very important too. It is especially important for our senior citizens, especially the senior citizens who are in need of some financial help to look after their basic dental care.

In this resolution, I have proposed that the provincial government should make available a basic, free-of-charge dental care plan to all residents of Ontario 65 years of age and over who are in receipt of benefits under the guaranteed annual income system. Such "basic care" would include preventive services, simple restoration and full or partial dentures.

For many years now, we have been aware of the importance of good dental care for children and young people. Such care is no less important for our older citizens and not merely for cosmetic reasons, although they have a special need to maintain their self-pride and to feel positive about their appearance.

Even more important is the effect of poor teeth or ill-fitting dentures upon their general health. Deteriorating or uncared-for teeth can

cause very serious problems for the individual. They can be a source of infection, not to mention pain, and frequently cause digestive difficulties. There is already considerable concern about the need for older people to eat good, nourishing meals, something which many of them do not do either because they simply cannot afford the food they need or because they become careless about cooking for just one or two. Poor or ill-fitting teeth aggravate this situation. Nutrition is a significant enough problem for older people without the added complication of poor dental capabilities.

Obviously, in considering any dental plan for the aged, we need to take into account how many people would be involved. In 1961, Canadians over the age of 65 represented something like 7.7 per cent of the total population. By 1971 this figure had risen to 8.1 per cent. This percentage is expected to reach nine per cent by 1981 and 9.8 per cent by the year 2001.

Ontario's population is also rapidly aging, of course. By the year 2001, with the post-war baby boom moving up the scale, 13.6 per cent of this province's total population will be over 65, compared with 8.6 per cent in 1976. The 1978 statistics from the Ministry of Treasury and Economics confirm that our elderly population is growing at a much faster rate than the population at large. In Metro Toronto, for example, 206,000 people, representing one in 10 is now over 65 and one in four is over 50 years of age.

In my discussions on the subject of this resolution which I have brought forward, a consensus has emerged to the effect that a comprehensive, publicly sponsored dental treatment program for all senior citizens would be not only expensive but also unnecessary. However, there is a great deal to be said for a partial reasonable subsidization for those who otherwise might not be able to obtain dental services. Consideration should also be given to subsidization of an annual dental examination, emergency services and periodontal services to encourage preventive dental behaviour, as well as to subsidization of new removable prosthetic appliances and reliners, repairs and adjustments to existing appliances.

3:30 p.m.

I understand that residents of Alberta over the age of 65 are entitled to coverage for dental procedures under that province's health insurance scheme. Those eligible are entitled to \$1,000 in dental services over a two-year period.

The plan covers the cost of one complete set of dentures every five years and the cost of one complete reline every two years, as well as covering the cost of fillings, extractions and X-rays. If the services of a specialist are required, this is covered after the patient has applied to the ministry for approval and has received a letter from the dentist concerned, giving details of the required treatment.

Obviously the details of a scheme such as I have proposed will have to be worked out very carefully, and there will be some instances where such coverage is not applicable. For example, some people continue to be covered by a dental plan from their place of employment after retirement and would not need to be covered by a plan such as I have suggested.

There are other matters in connection with dental care for our older citizens which I would like to have considered by the government. For instance, some means could be found of making dental services available at many of our nursing homes and homes for the aged, bearing in mind the difficulty of transporting senior citizens to the dentists' office.

Incidentally, at this time I might also add that the Ontario Dental Association has made a study of the question of dental care in conjunction with the Ministry of Community and Social Services, with particular emphasis on the needs of the mentally retarded and the accessibility to dentists' offices by people using wheelchairs et cetera. This is another area which perhaps should be investigated in the near future.

Above all, I believe we must ensure that every senior citizen who needs dental treatment can obtain it. No one is ever too old for dental treatment and no one should be deprived of this simply because the cost is prohibitive. With all of the other problems and concerns experienced by the elderly, sometimes the effort of doing something about a problem such as dental difficulties is just too much to cope with, especially when transportation and financial considerations form barriers.

A program similar to the one which I propose will be a major step forward in ensuring that Ontario senior citizens can obtain the dental care that is so very important to their general wellbeing, and I most sincerely ask members of all parties to give this resolution their support.

Mr. Speaker, I would like to reserve the rest of my time for the windup.

Mr. R. F. Johnston: Mr. Speaker, I rise to support the resolution presented by the



member. I think it is a sensible resolution which should find support among the members of this House, or a number of aspects to it.

I am glad he spoke to some of the particular kinds of services he thought would be covered by this, because I was unsure of the scope of the term "basic services." The key phrase in the resolution, it seems to me, is that "the provincial government should make available a basic, free-of-charge dental care plan to all residents of Ontario 65 years of age and over who are in receipt of Gains."

The term "basic care" is put down as preventive services, simple restoration and full or partial dentures, and I was not sure of that, not knowing all the aspects of dentistry, it not being a specialty of my own. I have a very bad record of how I look after my own teeth, which I will confess here at this point, and I am looking at this bill with a little self-interest, presuming it will take at least 20 to 30 years before the government brings it in and by that time I will be covered. That, of course, is the main reason I began working with the elderly when I was 25; I have a very long-range view of things and I look to my own self-preservation.

My only concerns at this point are with the restriction in terms of people in receipt of Gains. I understand that dental costs are expensive and that a large number of people are covered now under private plans in Ontario, but most of those people are people who are relatively new to the work force, and their children, and not senior citizens and retirees. Most of the union bargaining that has gone on over the last number of years has not brought in dental care plans for retirees. This group does have a very special kind of need, and I accept the 65-plus side of this as a starting point.

But I have great concerns because of the low rate of income for so many seniors and specifically for the individual senior in our society today. I would hope, therefore, in the spirit of the resolution, that it might be looked at in terms of providing this free-of-charge care to those on Gains, but also providing it in a slightly more generous fashion to others who are 65 and over who are at the low end of the income scale but may be slightly above Gains. I am thinking specifically of single seniors.

I have been trying to get some data on this. I have been through a number of reports. I have one by the Conference Board in Canada on dental plans, from which I realized there is almost nothing for retirees.

I have something put out by Nutrition Canada, a dental report that has some interesting information I will relay in a minute or two. I have a very comprehensive report about extending Canadian health insurance options for pharmacare and denticare which talks about the expense of trying to bring in that kind of a system across the country. I have also a number of other reports, all of which tend to exclude the elderly, including the major program that was instituted in Saskatchewan on a preventive basis, which is geared primarily to children.

The point made by the member for Essex North, that preventive care does not have a time limit on it, that preventive care is vital at whatever age, is absolutely crucial and must be accepted. It is interesting that, according to the Department of National Health and Welfare, a large percentage of the seniors who go for aid to dentists at the present time go for checkups, go to look into early symptoms of bleeding gums and other kinds of problems that often lead to the need for dentures—probably the single most expensive part of a senior citizen's health bill. Therefore, it is very important that the aspect of preventive health care, the checkup side of things, be covered by this resolution. I am very glad that it is.

An interesting statistic from the Department of National Health and Welfare was that 68 per cent of males in Canada and 76 per cent of females in Canada over the age of 60 have at least one full denture, and a very substantial proportion of people have both upper and lower plates—figures I had not realized were as high as they are. In their graphs, the period when the need for dentures seems to escalate is after the age of 50. There may be some need for a major publicity campaign in terms of dental health care for people who are in their late 30s and 40s, to make sure they are looking after themselves properly so that they will not need dentures at a later time.

The other side of it is that 65 per cent of males over 60 in this country at the moment suffer from gingivitis and chronic periodontitis. These are the two major diseases which, as I understand it, lead to the need for dentures. This is another indication of a very specific kind of health care need in that area.

I was trying to find exactly what is and what is not covered now by the Ontario health insurance plan in terms of dental surgery. Often involved with the fitting of new dentures is the major extraction of a large

number of teeth at one time. This is especially the case in older people.

All I have been able to determine at the moment—and I am not sure if the member for Essex North will be able to confirm this from the work he has done, obviously in more detail—is that it is still possible for someone to go into a hospital and have teeth extracted and have that covered by OHIP, as long as it is deemed to be medically necessary.

I presume, therefore, we do not need to worry about being very specific about that kind of provision being put into this resolution.

3:40 p.m.

There are a large number of people—my mother included, who is now over 65 and has just had plates put in—who have a major heart condition and for whom it is very dangerous to have a major extraction prior to the fitting of dentures when it is done outside of a hospital. It is my understanding that is still covered by OHIP. I hope it still is. If not, I would suggest that an amendment to this resolution would indicate that definitely should be back in OHIP and the hospitals should take that kind of responsibility for elderly people.

This is a very hard resolution to get your teeth into, as some might say. I have waited this long and I could not stop myself. I apologize to the members present.

**Mr. G. Taylor:** Gum it up.

**Mr. R. F. Johnston:** Thank you; I will think of at least one more and then we will proceed. No more puns?

It seems to me to be hard to fight the logic of this resolution. The member has very specifically tried to steer away from a high-cost program that would be extended to all elderly persons, I presume to try to get some acceptance of the concept and to get some movement on the government side on this.

There are very few of us who would not suggest that this kind of emphasis would be an important step for the government to take at this time. I certainly hope it would not preclude the need for this government to move, as other governments in this country now have, into full dental care for children and to get good dental habits started at an early age. By the time the Speaker and myself are of an age to require this kind of assistance the member is putting forward, which should happen around the same time, I presume—

**The Acting Speaker (Mr. MacBeth):** Thank you.

**Mr. R. F. Johnston:** —we should not need it because we will have taken such good care of our teeth up to that point. So I stand in support of the resolution.

**Mr. McCaffrey:** Mr. Speaker, I support the resolution. Let me make it clear at the outset that I compliment the member for bringing in this topic.

I find I have a couple of questions that flow from the resolution. I think the previous speaker, the member for Scarborough West, alluded in an effective way to the lack of statistics available. Certainly, that has been my experience in the many hours I have been trying to research this topic. I go way back on this topic—several hours anyway. But I did have some difficulty in getting any kind of meaningful numbers that would be important for all of us when we proceed further with this important topic.

The proposer of the resolution himself talked about some of the broad statistics regarding the number of seniors in the country and in the province. Clearly, that is an accelerating trend. I am not trying to see the resolution in isolation. It is important today, and I think we need it today, but clearly the need for such a program is going to accelerate as the number of people reaching age 65 accelerates.

At least two areas, if I may touch on them briefly, come to mind. One deals with the cost; I would like to come back to that. On the other, I, for one, would like to hear a response from the profession through the Ontario Dental Association. I am not interested in a general response as to how they perceive such a resolution, or their philosophy towards it. Rather, I would like to hear a specific kind of a response in a working way. Perhaps the ODA, in consultation with people within the government and others—and I would include seniors' organizations—can get some real numbers, not just on costs but on where the serious need is. I suspect there are also some geographical factors that would have to be taken into consideration.

On the cost, one point that was brought home to me earlier today in a conversation with one expert in this area was that the seniors in Ontario have the highest no-visit rate to dentists. This would be a familiar expression to my friend the Minister of the Environment (Mr. Parrott). I would suggest there probably are a number of reasons for that, but one must well be money. It seems to me as a layman that fear of the cost would be one reason why seniors do not



attend a professional dentist as often as one might want them to.

In Alberta their experience following 1973 had, for me, an important message with regard to costs. I do not have the exact numbers, but they did introduce their program, as the member for Essex North said, in 1973 and obviously they had forecast what percentage of the over-65 population would take advantage of it and, therefore, what the cost would be in the first year or two.

My recollection, without the specific numbers, though, is pretty clear that after a fairly high first year there was a fairly noticeable dropoff; there was an early stabilization and a 23 per cent and 24 per cent level of those over 65 eligible for the program who actually took advantage of it after a bit of a bump-up the first year. Again, as a layman, it seems to me that is not all that surprising, because those in need of dental care did get it looked after when the program was introduced and, I suspect, then did not have to take recourse to it. I think it worked, and I think the experience in Alberta through 1974-75 at least was that it was not as expensive as even they themselves had forecast.

I want to talk briefly about the cost. I want to make it clear, though, that I am not saying I think this is a great program and give the sometimes knee-jerk reaction that the cost is prohibitive; I doubt that is the case. But I, and I think others here, before we proceed much further on it, would want to take a look at some specific hard numbers in terms of those who would utilize such a program in this province and what the cost might be.

In conclusion, I support the principle. I think it is timely. I hope it does not take as long as my friend the member for Scarborough West indicated. I think it is important now. I would like to move as quickly as possible in this area, emphasizing that I would like to have this government and representatives from the appropriate ministries, in consultation with the profession through the ODA, seniors' organizations and others, give all of us as legislators some specific proposals on how many would be able to utilize the program and what it might actually cost before such a plan is implemented. I think it is good and I intend to vote for the resolution.

**Mr. Sweeney:** Mr. Speaker, I rise to support my colleague in his resolution to provide basic—and I concur with an earlier speaker that it is important we understand the term “basic”—free-of-charge dental care to Ontario

senior citizens who are in receipt of Gains benefits.

I wanted to emphasize that, because I think we should clearly say to the people of Ontario that this is not another universal program that we so often get ourselves trapped into and find out is extremely costly. What we are doing here, or what my colleague is recommending that we do here, is to recognize that there is a segment of the population of Ontario who, through no fault of their own, find themselves in difficulty in providing for themselves a very basic medical need.

I know from time to time people will say that dental care is not essential in the same way that many other medical services are. But those of us who are acquainted with the senior citizens of our province will know that many of them suffer needlessly, and in some cases rather painfully, because they do not have basic medical care available to them.

I was unaware of the statistic that the last speaker mentioned, but it surely does point to the fact that the senior citizens of this province are attending at dentists' offices much less frequently than other age groups in this province. While he pointed out that there may be other reasons for it, it surely is somewhat conclusive that dollars are a factor.

I also notice my colleague has drawn attention to the fact that this free-of-charge service would also be applied to full or partial dentures. Once again, on first blush, this might appear not to be an absolutely essential service, but I have had the unhappy experience of meeting with a number of senior citizens in my own community who were trying to get by on a diet that would be the equivalent of Pabulum, because they did not have proper dentures.

3:50 p.m.

One of the things the social service agencies in several of our large urban centres have drawn to our attention very carefully is the poor nutritional habits of many of our senior citizens. One of the reasons for this is that they do not have sufficient dollars to buy nutritional food. One of the other factors that was drawn to my attention was that a number of them do not have proper teeth and dentures and therefore are not able to eat some of the more nutritious food.

I remember going into a senior citizens' apartment fairly recently and talking to a couple of my constituents about this very matter. They said: “After a while you can get awfully tired of baby food.” The other thing they pointed out to me—and it has been a few years since I have had the ex-

perience of having to go to the store and buy it—is that baby food apparently is very expensive.

I want to go on record as supporting my colleague in his endeavour to provide this service to our senior citizens. It is one more example of our recognition of their particular needs. It is one more example of our being able to pinpoint a segment of our population that should have additional help to meet that particular need. I would most certainly encourage all members of the Legislature to support this resolution.

**Mr. Breaugh:** I want to rise to support this resolution. As you know, Mr. Speaker, in the spring session I put forward a resolution on providing a form of dental care across the board. At that time, I attempted to make the argument—and the other members seemed to accept the argument, because it was passed without any negative responses being put—that when we consider matters like dental care, as in the case of this particular resolution, we ought to specify precisely who would receive that kind of a service.

I suggested we ought also to spend some time thinking about who would provide the care, how the program in essence would function and whether it would be a phased-in program. At that time, I went to some length to try to prepare an argument that the nature of the program ought to be preventive rather than curative; that it ought to be modelled on the kind of programs that are run in Saskatchewan and that are now being set up in other institutions; and that the thrust of the program essentially would be preventive in nature. There is a strong economic argument to be made for investing health-care dollars in any program that is preventive in nature. The savings that are generated at the other end of the system are really quite substantial.

This resolution goes at it from the other way around. This is an area in which in broad general terms health care is very poor in this province. There is no question that the whole field of geriatric care and the very specialized kinds of service that the elderly often require in this province—and I think even most physicians and perhaps even the Minister of Health (Mr. Timbrell) might agree—is probably the poorest area of care we have.

There may be a number of reasons for that. Geriatric care is still not a broadly based science as yet. There is still a great deal of work to be done, knowledge to be gained and programs to be set up to deal with care of the elderly. Dental care is one

specific kind of problem. For many people it depends on where they live, how aware they are of their rights and who is providing the care in the area. In some of our urban centres, there are people in senior citizens' centres who can take advantage of dental clinics that are offered by a number of people. There are those who can take advantage of services offered by denturists as an example. There are other places in the province where they simply cannot do that because there is no one available or because the local dental health association will not participate in such schemes or for whatever reason, the schemes are not in place. There is quite a substantial difference between areas of the province.

There is a further complication in care of the elderly. Those who are ambulatory, who can get up and get around, who can still drive their own cars or who have access to something like a handy transit system, may well be able to take advantage of something that is put in place in a clinic setting. They have the opportunity to get up and go to a clinic. There are many others who do not have that opportunity.

As some members have pointed out too, dental care per se is something that seems to be almost of secondary interest at present to the Ministry of Health. There is no dental care program of any kind to speak of but there are some provisions for emergency services covered under OHIP. In the broadly-based sense of which most people think, of having to go to the dentist and get care, by and large the rule is that none of that is covered, not even for the elderly.

There are some restrictions on this particular resolution which I am not that happy with, but I would agree to it on the grounds that I think the member is proposing this as a bare minimum form of care that ought to be provided for the elderly. My concern is, quite frankly, that when we use something like the Gains program as the indicator of who does or does not qualify, we immediately accept part and parcel all of the inequities that are inherent in the Gains program.

We may also run into the second problem of who will provide this kind of care, because dentists in this province are very much a free enterprise operation at work out there and are making rather substantial gains in catching up on the medical association as a whole in terms of upping their income. They have made substantial gains in the last few years.

Members may run into difficulty in accepting this resolution, unless they have



accepted all of the complications the federal government and the provincial government have put on in terms of who is eligible for the program.

The second major problem I think we would run into is who would provide the care. I would think we would want to have agreement from the dental association that they are going to participate. For example, there would be no sense in this province in having this kind of a dental care program for senior citizens if we could not find anybody who would provide the care. That would be a second problem.

In particular, the minister would immediately involve himself in that rather interesting argument between the denturists and the Ministry of Health and the dental association, because he might find in trying to establish a program at the most cost-conscious level that he would want to utilize the services of people like denturists. He might want to utilize the services of people like dental hygienists or dental nurses, and he would immediately stumble into the arguments between the professions about who can and cannot provide dental care. He would also run into some staffing problems, I would anticipate.

The whole field of geriatric care deserves a great deal more attention than this government seems prepared to give it, and particularly dental care per se needs more attention. To be more specific and to get right down to the resolution before us this afternoon, the provision of dental care for senior citizens really needs more attention. I guess the view might be expressed in some quarters—certainly not in my mind, but by some people—that dental care is often a cosmetic type of care that is provided to people, but those who have had to do without teeth or go on a soft food diet will be able to give you chapter and verse on how difficult that is. It is no longer as cheap as it once might have been. There are all kinds of problems with nutritional programs that in theory are in place, but in practice are not there; so there are a number of problems.

It is interesting that this stuff always gets down to the kind of things that members get from their constituents. An elderly person nailed me the other evening and gave me a long tirade that the government of Ontario was doing nothing for them. She said there was a Meals on Wheels program in the community, but that is a community-based program and has very little to do with

this government, and that it is useless to that person because she does not have the teeth to eat the meals that are provided. Those very basic questions are there.

This resolution deserves the support of all the members who are here this afternoon. It is the kind of thing the government of Ontario can rightfully be strongly criticized for not doing already. It is a form of basic care that is necessary and absolutely essential to our seniors in particular. It is something that is extremely modest in scope if we follow the wording of the resolution that is before us. Quite frankly, I would prefer to see it done in more detail and to see the arguments put at greater length about who provides the care and the specific types of care that are available to people; but I think it is a beginning.

This House in its spring session decided that we should be looking very seriously at a dental care program much the same as we do for other forms of medical care. Again, this afternoon, I would anticipate from the debate I have heard so far that the House is now prepared to say that this resolution will carry. I would hope that the Minister of Health and the government of the day would take that as a clear expression by the members of this Legislature that we deem this to be an important matter which ought to be now dealt with by the government, and I would urge all the members to support the resolution.

4 p.m.

**Mr. Jones:** There seems to be consensus, and I think we can all agree, that this resolution is a laudable one. I commend the mover of the resolution and I feel comfortable speaking to it, because this government has always had a strong commitment to maintaining and improving the lives of our senior citizens.

The member for Oshawa (Mr. Breaugh) indicated that perhaps this has been a secondary interest in our health-care system. But I would like to remind members that we do have a long record in this province of providing such services as dental coaches in outlying areas of the province. Dental treatment for school children is already provided in many areas.

The member for Armourdale (Mr. McCaffrey) mentioned that seniors have the highest no-visit rate. That is not necessarily so across the whole of our population. In Ontario, surprisingly, we have a very high use of dentists. In fact, I understand 60 per cent of Ontario adults visit the dentist at least every year.

Let us not forget that in our provincial social services many people who receive family benefits, general welfare assistance and persons living in homes for the aged and charitable institutions also receive free dental care. This applies to the elderly as well, if they qualify.

As we approach this subject, let us remember some public health units have dental treatment. I suggest we do have the format for proceeding further, as the resolution asks us to do. As to the concerns about what will be in place and what delivery services will bring this to our seniors, I suggest we already have the basis for much of that.

There was some questioning by the previous speakers about whether the dental profession in the province could deliver this service. There was some anxiety that perhaps the old debate on the role of the denturists and hygienists might destroy the prospects of delivering this program to our seniors. I do not share that anxiety. I think we have the basis in some of these present public health unit systems and our present dentistry.

The member who last spoke has this hang-up about free enterprise. He mentioned that the dentistry profession was in that frame of mind, and I am happy to hear they are. I think they will do well and that would but add to the service.

**Mr. Kerrio:** Get Harry Parrott back on the job.

**Mr. Jones:** The member for Niagara Falls gets excited every time you say "free enterprise." I do not know why. He is supposed to be applauding on such occasions.

As far as dental insurance is concerned, 40 per cent of the employees on collective agreements in the province now are covered by dental plans. This is the fastest-growing fringe benefit in the whole of the province and probably in the North American work place. Altogether there are some three million residents in Ontario covered by private dental plans—in fact, I think it is three million just by private dental plans. So, combining the dental program provided by government and the services that are based on private insurance, millions of Ontarians already have this dental care in the form we are referring to in the bill.

We have touched on the fact that costs are something members of the Legislature must not forget as we make a decision about a resolution such as this. I suggest to the member for Oshawa in his capacity as health critic for his party that, no, it is certainly not a secondary interest of the government.

Rather, I think we would all agree, and other speakers seem to have indicated, that you cannot look at a program suggestion such as this and ignore the dollars.

It has to be looked at in the complete context of a ministry, such as the Ministry of Health, as it is doing now, continuing its program of streamlining the costs involved in the delivery of all health services and to ensure, of course, we do not have any reduction in the quality of those services, but continue that streamlining process so that we can have the resources to implement such a program. I have no doubt that in time a program of this sort will be instituted by this government, and I have already indicated I would be in support of that. It seems like a logical progression.

I know in question period today the Leader of the Opposition (Mr. S. Smith) was saying \$410 was the recent extra amount of tax grant and the Treasurer was responding with \$420; so, after all the disagreement over what these amounts were—within \$10—the truth is that we on this side of the House take pride in this government putting more money into the pockets of senior citizens in this province through tax grant programs—yes, I think it was acknowledged that we were doing that—and have increased the Gains allowance.

I see this resolution from the member for Essex North—who is busy talking while I am actually commending him for his resolution—as a natural, logical progression to be considered; in fact, in terms of what we see for the 1980s as we look at this growing population with the ageing demographics—and I believe my colleague from Armourdale touched on it—I think it sorts of makes sense to a layman. I can understand how there would be that early stabilization if perhaps we had a catch-up of prevention or a catch-up of a new kind of care that might be needed, and then I could see that stabilizing on a cost, as I understand was the experience in some of the western provinces, at least two of them where they initiated such a program.

When all is said and done, knowing the record of this government in its social services and its concern and care for its senior citizens, I predict that in the not-too-distant future we will see specific dental programs for seniors in this province. I commend the mover of the resolution for his resolution today, because I can see it playing an important part in the social services programs that we pride ourselves on in this province for our seniors and, of course, commit ourselves to



the high degree of ongoing care for them in a province which they have contributed so much to, and it is only natural that we should be looking at a large concern such as this, our continuing concern and, more important, delivery of a service like this as it comes forward in its natural progression.

**Mr. Bradley:** Mr. Speaker, I would like to begin by commending the mover of this resolution, my colleague the member for Essex North, whose concern for both senior citizens and any of those in the province who require health care is well known and has been well known in this Legislature and certainly in his own constituency for a number of years. When the member for Mississauga North (Mr. Jones) speaks of natural progressions, this particular resolution is a natural progression for the member for Essex North in terms of his commitment to benefiting the people of Ontario who require the assistance of government with legislation of this kind.

I think we as legislators recognize there are a number of senior citizens across the province who have forgone the opportunity to take advantage of dental care primarily because of the cost of that dental care. Most of them, who are over the age of 65, are on fixed incomes, the large part of that fixed income likely coming from the federal and provincial governments with certain kinds of assistance available from municipal governments; therefore, they have to budget much more carefully than those who have the ability to raise their income on their own and are not reliant upon some fixed sum or upon legislators to raise it as they see fit.

For this reason, I think we all recognize, and all members of the House who have spoken this afternoon have recognized that there is a need in this area, and it is a matter now of recognizing it in the form of legislation.

4:15 p.m.

The member for Mississauga North indicated that this would be a natural progression in terms of the policy of the government across the floor. I would not be at all surprised, as my colleague the member for Kent-Elgin (Mr. McGuigan) said to me before I rose to speak, if in the next budget of the province or in the new speech from the throne next year, should we make it that far, we are very liable to find this particular resolution in the form of proposed legislation. At that time, of course, we on this side will be more than happy to give credit where it is due: to the member for Essex North.

The fact that people who are older do have problems with teeth is well known, and they are perhaps different problems from those of the young. These problems, if not rectified, affect the diet and ultimately the nutrition available to these people and the total health of the individual.

These dental procedures are just as important as other procedures that are paid for at the present time under OHIP. One has to wonder why that has not been covered in the past, particularly for those who are in need, and we are speaking specifically of the senior citizens.

I think this particular resolution is acceptable to all members of the House because it provides basic care. It is not a frill for senior citizens. We are talking about very basic care and it deals with a specific group that requires assistance because they have particular financial needs.

The fact that a person has or has not some form of teeth in his or her mouth, whether they are natural teeth or dentures, is also a matter of pride. I received a letter from one of my constituents, a Mrs. E. Sommerfeld of 26 Jessica Drive, St. Catharines, who indicated that she was not exactly going around smiling because she did not have the dentures she had hoped for. Let me just share with members of the Legislature a very brief letter she wrote to me on this particular subject on May 18, 1980. She was actually writing to me about denturists at that time, but it does relate to this subject because of her age: "I am 75 years old, have some teeth left but not enough to chew my food properly. I cannot afford the price my dentist charges and I could get the partial plates at half the price from a denturist."

Then she goes on to ask why they are not allowed to do it. I recognize that is a separate issue, but it really points out the need she faces. She says, "Please let them make me some teeth." She also ends up with a rather interesting little poem that shows the importance to this 75-year-old individual, not only in terms of nutrition and health but also in terms of pride:

"Teeth is very nice to have  
 "They fill you with content  
 "And if you doesn't know it now  
 "You will when they have went."

A rather interesting poem from a 75-year-old lady who wished to share her views on a particular topic with me.

It seems to me that the people of this province, a very wealthy province in terms of the resources we have available to us, the revenues available to government and

the business activity that takes place, are prepared to pay for good medical care. We have seen this now with a number of issues that have arisen.

My colleague, the Liberal health critic, the member for Renfrew North (Mr. Conway), has pointed out that the people across this province are looking for the necessary funding for our public hospitals. Indeed, they recognize that much of that funding, the overwhelming amount of that funding, must come from the provincial government. They recognize also that they will ultimately have to pay. But I contend that the people of this province are prepared to pay for the kind of services they used to be able to get in hospitals and hope to be able to get in the future. I think they are prepared to pay for the kinds of services that would be provided if this resolution were adopted and ultimately showed up as legislation.

Why has this government not proceeded earlier with this kind of legislation, since it is obvious from members of all parties that this has been desirable? The need has been undenied for a number of years, the financial resources have been there, and yet we have not seen an initiative in this particular direction.

Now that we have an increasing number of senior citizens—and perhaps I would be cynical if I were to suggest also that we have an increasing number of senior citizens in the voting category—we see a movement towards increased services for this particular segment of the population, and perhaps this is a fact of political life we have to face. Surely, for a number of years, it has been a matter of financial and moral justice as far as we in the opposition are concerned, and as far as some members of the government party are concerned, to provide adequate medical care of all kinds to those people who cannot afford it.

With the advent of private dental plans, as the member for Mississauga North has pointed out, a number of people have been covered. Very few of those people, of course, are in the category of senior citizens and pensioners, and that is why this resolution is so opportune.

We also have the fact that, with the advent of these plans, there seems to have been a corresponding dramatic increase in the fees charged for dental work across the province. That might well be coincidence, but there are many who would contend that those increases in fees are due to the fact that dental plans have been implemented; so those who are covered are in a favour-

able position, but those who are not fortunate enough to have those dental plans find themselves even more behind the eight-ball.

The senior citizens in this province should not have to come on bended knees or with cap in hand to receive the medical services that are required for their own good health and ultimately for their lives, and I urge all members of this Legislature to assist the member for Essex North to bring this to a reality by voting for this resolution this afternoon and urging upon the government, if we are opposition members, and upon their colleagues, if they are government members, that legislation flow from this very progressive and enlightened resolution.

**Mr. Conway:** Mr. Speaker, I rise to very enthusiastically join with my colleague the member for St. Catharines (Mr. Bradley) in supporting what I believe to be the very excellent resolution of our friend the member for Essex North. Unlike some of us, most of us know, I suppose, Mr. Speaker—and I am sure you know this where others might not—our colleague from Essex North, as the member for St. Catharines has indicated, has had a long involvement with the health-care business. He was very active in a co-operative insurance program back in Essex county and I, as health critic for the party, pay special attention to his advice on matters of this kind. I certainly want to add my support to what is being suggested here.

We believe there should be—in fact, its time has long since passed—a denticare program for Ontario. As has been pointed out in earlier remarks this afternoon, we are falling behind in this area. I was impressed by what Mr. Justice Emmett Hall had to say in his recent report to the federal government concerning the state of our national health insurance. He pointed out that 15 years after he struck his famous health charter for Canadians, he feels as strongly today about the need for a children's denticare program, a position which I have certainly long supported.

I believe the member for St. Catharines, with some poetic endeavour, has highlighted this afternoon the case of his constituent who, I think, speaks so eloquently to the very real and serious need that this kind of resolution seeks to redress. I do not want to be repetitive; I simply want to say as another private member in this assembly, as one who has had some involvement over the past number of years in matters of health policy, that I believe very strongly this is the kind of social justice that we in this Legislature have a responsibility to provide. Certainly I believe



it is not uncustomarily, from this side of the House, a very liberal thing to do. I applaud my colleague the member for Essex North for bringing it to our attention. I am sure that each and every member of this assembly, at least in his capacity as a private member, will endorse the common sense and the very virtuous aspect of this excellent proposal.

4:20 p.m.

**The Deputy Speaker:** Are there any other members wishing to participate in the debate? If not, the member for Essex North for up to 12 minutes.

**Mr. Ruston:** Thank you, Mr. Speaker. I appreciate the support all members participating in the debate have given this resolution. I made notes while each member was speaking. As an aside, I thought maybe it would be good training for me, since we are planning on taking over the government not too long from now. When second reading of a bill or something like this comes in, the cabinet minister generally replies after all members have spoken. I will try in my 12 minutes to run down some of the suggestions and some of the concerns the speakers had.

With regard to the member for Scarborough West (Mr. R. F. Johnston) and his comments, I noticed he was concerned about the resolution being limited to people on Gains. I might say, if I were the Minister of Health for Ontario in a majority government, and in a position where I could make sure I could get it through the Legislature, I would probably expand it to some extent to all those on the supplementary old age pension. On the other hand, in opposition and with a minority government, part of the method of operating is to make some concessions here and there. I am looking for support from all sides of the House, and that is one reason why I limited it to Gains recipients.

Another matter the member for Scarborough West raised was that from the ages of 30 to 45—a very important age group—many people apparently do not have the proper checkups. That will have to be thought over whenever the time comes to have some form of a dental care plan for all those in Ontario who are not now receiving one through their places of employment.

The member for Armourdale (Mr. McCaffrey) was concerned about the cost of this program. I suppose that is rather difficult to assess. I must admit I did not look into it to see what the cost would be. I suppose if there are 700,000 people over the age of 65 in Ontario and about half of them receive the Gains supplement, that is a lot of people.

On the other hand, in Alberta, in the first year this program was put into effect, in 1973, the member says there was a great rush to use it. Then, a year later, the number using the plan fell considerably, I suppose people got what they needed—dentures and so forth—and then the need declined.

I am sure the cost is not prohibitive. If it does mean some fund-raising from some form of government taxation, that will have to be taken care of through the Treasury, and I am sure the people of Ontario will accept that responsibility. It is something that is necessary.

The member for Kitchener-Wilmot (Mr. Sweeney) made a very important remark to the effect that some senior citizens have been eating baby food or Pablum because they did not have the money to buy dentures. I have heard of that and run across it. I have been told of this by dentists and by senior citizens. I am glad the member for Kitchener-Wilmot brought that to our attention. It is something that is of great concern. I also noticed at one of the homes for the aged, where they had brought in a new dietitian, he ordered all kinds of salads but he found out the people could not eat them because many of them did not have the proper dentures. That problem is probably greater than many of us want to admit.

The member for Oshawa (Mr. Breaugh) stated in his remarks that he had brought in a resolution last spring with regard to dental care and that support was obtained from all sides of the House at that time. He was concerned about Gains and whether we were covering enough people. He was also concerned as to whether there would be any restrictions on the amount of service and who would give that service, whether it would be dentists or denturists and whether there should be dental hygienists. I must admit we did not get into that, as we cannot in a general resolution, but with the amount of dentists, dental hygienists and denturists in the province and our ability to train more if necessary, I do not think that should be any problem. I appreciated hearing his strong comments as he urged all members to support the resolution.

The member for Mississauga North (Mr. Jones) remarked on some of the plans that are now available in the province where some treatment for school children is provided. He indicated parts of the province, especially in northern Ontario, where they have the mobile vans available. That is quite true. There are a number of people who

are receiving care, and it is available for them, but apparently we have forgotten about the many people who are over the age of 65. I would like to hear comments with regard to them.

I thought the very excellent remarks of the member for St. Catharines (Mr. Bradley) were very well addressed to the core or the basic parts of our resolution. Also, as to his remarks that it is moral justice to provide adequate medical care for the people of our province, how true that is. In my opinion, I think that is a very important right. It should be the right of a resident of Ontario to have that care.

Of course, I always appreciate the remarks of the member for Renfrew North (Mr. Conway), who has had occasion to come to my area a couple of times as our health critic. He is a young fellow who did not know wheat from grass when he was in Essex county last April 4 when there was a little snow flying around as we were driving down. However, the wheat turned out very well and we got a good price for it. I am quite happy with it.

Having been involved in the medical co-operative, my concern with health care as one of the previous speakers mentioned, goes back to my home life on the farm. My father's biggest concern with six children in a single-parent family was for medical care. This goes back a number of years ago, I must admit, but he always wanted to make sure there was money available in an account someplace in case someone got sick so that he could see they were taken care of.

That was the greatest concern for many people. My father would name off some of the people who actually lost their farms or houses because they did not have enough money to get proper medical care. I put medical and dental care together. They should be all one. I guess that is why I still feel very strongly about it. I think it is a basic right that everyone should have good medical and dental care in Ontario. I would certainly urge everyone to support this resolution.

**The Deputy Speaker:** That completes the debate on ballot item No. 23. It will be dealt with further at 5:50.

4:30 p.m.

#### ENVIRONMENTAL MAGNA CARTA ACT

Ms. Bryden moved second reading of Bill 91, An Act to establish an Environmental Magna Carta for Ontario.

**Ms. Bryden:** Mr. Speaker, I would like to reserve five minutes at the end for response to the comments from other members during the course of the debate.

In this year, 1980, I think we face a somewhat similar situation to what occurred away back in 1215. At that time, the people and their leaders felt that the executive authority was not being sufficiently responsive to the wishes of the populace; so they drew up a bill of rights, which they called a Magna Carta, and imposed it on the king.

Today in the environmental field, the citizens feel the same lack of response to their concerns. They see their air, water and soil being polluted and their environment degraded. They see the English-Wabigoon river system contaminated with mercury and no solution in sight. They see the Great Lakes polluted with highly toxic chemicals such as PCBs, Mirex and dioxin. They see fishermen from the St. Clair River lose their livelihoods as a result of Dow Chemical discharges but get only a paltry \$250,000 in compensation after a long wait.

They see the growing threat to their ecology from acid rain which results from the emissions of sulphur dioxide and nitrogen oxides by Inco and Hydro plants using coal. They see signs that say, "Don't eat the fish," and they see their recreational areas and tourist industry endangered.

For too long the residents of Ontario have been fighting environmental degradation with their hands tied behind their backs. It is time they were armed with rights that will enable them to bring polluters to court regardless of whether they themselves have suffered pecuniary loss or direct damage from the environmental degradation. It is time they were able to require governments to live up to their verbal commitments to protect the environment.

It is time that we set forth in legislation the right of citizens to clean air, pure water and a healthy environment. It is also time to declare that the government has a duty to conserve and maintain our resources for the benefit of present and future generations. That is why I have called my bill an Environmental Magna Carta for Ontario. It establishes for Ontario residents a bill of environmental rights.

This bill has a preamble. Preambles are not common in Ontario laws, but I felt that it was important to state clearly the objectives of this legislation. Let me read the preamble:

"Whereas every person has a right to clean air, pure water and a healthy environment; and whereas it is the duty of the state to



ensure that these rights are protected and that the natural, scenic and aesthetic values of the environment are preserved; and whereas there is a public trust to protect the environment and all the living species that inhabit it for the benefit of present and future generations; therefore . . ." be it enacted, as my bill provides.

The objectives expressed in the preamble will be achieved by a variety of means. I would like to run through in a very brief form the specific rights guaranteed by the bill.

1. The right to "standing" before the courts in environmental actions. This permits residents to have access to the courts without first having to prove that they have been personally damaged or injured.

2. The imposition of onus on the defendant, who must prove his activity does not contaminate or degrade the environment.

3. The right to class action. This was promised back in 1976 by the then Minister of the Environment (Mr. Kerr), but the promise has not been kept by any of his successors.

4. The right to freedom of information relating to the quantity, quality or concentration of contaminants causing environmental degradation.

5. The right to 60 days' notice of proposed control orders, regulations and other environmental instruments, including those setting standards, and the opportunity to request a hearing on such proposals before they become effective.

6. The right to protection from dismissal or discipline for employees who report acts that contaminate or degrade the environment. This is a much-needed clause; I know of at least one person who lost his job because he reported a bad environmental practice to the ministry.

7. Protection from award of court costs against individuals or public interest groups that raise a matter of importance relating to the protection of the environment.

8. Removal of immunity from prosecution now allowed under the Environmental Protection Act and the Ontario Water Resources Act to polluters subject to a control order or program approval.

9. Disallowance of the defence to an action that the defendant complied with a standard set or other instrument issued under an environmental act, regardless of whether the standard or order is a good one.

I think it is very important to establish these rights, but I do not argue that this bill is a substitute for good environmental

legislation and enforcement by a government committed to preservation of the environment. The legislation is a supplement to government action. It provides an opportunity for citizen action to correct bad environmental situations. It gives citizens an opportunity to seek redress and to bring public nuisances to court. Such actions could serve as a prod to governments to bring in new legislation, to take action to eliminate or prevent the public nuisance and to prevent further degradation of the environment. The two kinds of legislation complement each other.

I recently read an article praising Terry Fox's contribution to increasing funds for cancer research, and I join in that praise. But the article pointed out that we will not eliminate cancer by clinical research alone; we have to prevent it by eliminating the cancer-causing agents in our environment. We have to change our reliance on toxic chemicals in manufacturing. We have to change our lifestyle, now based on widespread use of hazardous substances. That is where government leadership and action are needed.

4:40 p.m.

This legislation will enable citizens to take steps to protect their environment where governments fail to act. It will also give them a much greater opportunity for input in government decisions. This includes decisions on standards, the terms of control orders and other environmental instruments. When the public is involved in such decisions, there is a spinoff of public understanding, public education and public acceptance of regulations.

But this public involvement will not be very effective if citizens are unable to use these rights because they cannot afford the price of admission. That is why I have included in my bill a requirement for a study by the Environmental Assessment Board of methods for providing some public funding for interveners in environment hearings.

As honourable members know, we are not allowed to call for the expenditure of public funds in a private member's bill. However, I do strongly believe it is absolutely essential to provide such public funding to ensure that points of view representative of significant bodies of opinion are adequately presented at environmental hearings. The study called for in my bill will consider proposals for raising, allocating and auditing such funds to even up the balance of power. There is a considerable number of examples of public funding for interveners in both Canada and the United States, including the Porter and Hartt com-

mission programs in Ontario. The bill calls for a report and recommendations within one year.

I am hoping that all members in this House will support my bill. I am sure the Liberals will see I have adopted many features of the Ontario Environmental Rights Act introduced by their leader, the member for Hamilton West (Mr. S. Smith), last year. I commend him on his initiative in the field, and I hope he and other Liberal members will support the bill in principle and send it to committee for hearings and possible amendment.

I also hope the Conservatives will abandon their ostrich-like stance of last fall when they blocked a vote on the bill. I hope they will recognize there is wide public demand for this kind of legislation. I have received strong letters of support from the Canadian Environmental Law Association; the Ontario Conservation Council; the Canadian Bar Association; the Federation of Ontario Naturalists; the Consumers' Association of Canada, Ontario Section; Pollution Probe; the Save the Rouge Valley System Conservation Group; the C. D. Farquharson Community Association of Agincourt; the Ontario Association of Peel People Evaluating Agricultural Land, otherwise known as APPEAL. Many individuals have also indicated support. They and the organizations mentioned embrace well over a million people in Ontario.

I was disappointed that the Minister of the Environment (Mr. Parrott) was one of the 32 Conservatives who blocked a vote last fall on the member for Hamilton West's bill. I was disappointed the minister did not keep his promise, as reported in the *Globe and Mail* for December 5, 1979, to unveil a bill in the next speech from the throne which would incorporate some of the points in the member's bill. The speech from the throne was notably silent on this matter; in fact, it had no proposals for new legislation to supplement the largely unused environmental legislation on our statute books now.

If the Conservative members vote for second reading of my bill, they could include it in their package of policy changes achieved before the upcoming election instead of following their usual procedure of making vague election promises on a new issue. The electorate knows from past experience such promises may never be implemented.

I might point out that my bill does not provide for standards-setting by the courts. That was seen by the *Toronto Star* as a fatal flaw in the Smith bill. The only Conservative speaker in the debate last fall quoted the *Star* editorial as a reason for

opposing the bill. Since I believe the courts' primary function is to arbitrate disputes and determine facts, I leave standard-setting to the ministry and its agencies, but with full public input, including the use of mechanisms such as the boards of review provided for under the federal Environmental Contaminants Act. In so doing I have removed one reason for Conservative opposition to the bill. I find it hard to see how the government members can refuse to bring our environmental law into the 20th century, especially since we are almost into the 21st century.

Quebec is now ahead of us on "standing" legislation. The federal government already provides for public input on environmental regulations prior to their issue. I draw the members' attention to the comments of the first federal board of review involved in this exercise. In a July 1980 report on the process they stated, "Any view of the democratic process that is worth supporting must encompass the growing public desire for increased popular participation in government, as well as broad designs for bureaucratic accountability." That is what my bill is all about.

Mr. Speaker, I urge all members to put Ontario in the vanguard of environmental legislation by voting for the principle of the bill.

**Mr. G. Taylor:** Mr. Speaker, I speak to this particular piece of legislation and comment that the member who introduced it suggested it was very similar to the Leader of the Opposition's bill of rights, the environmental bill of rights being a Liberal adoption, and now the New Democratic Party member has chosen the words "environmental bill or Magna Carta." I suspect if we had a fourth party in here it would be the Sermon on the Mount environmental bill, and I suspect they would all receive the same treatment and should expect no different treatment from the government side of the House than previously.

**Mr. Lawlor:** You are not against the Sermon on the Mount too, are you? We will sprinkle a little Jordan water on you.

**Mr. G. Taylor:** I suspect if someone tried to part the Red Sea today, there would be an environmental hearing before it would take place. The member for Lakeshore knows all those things about religious matters in the Near East.

**Mr. Lawlor:** That is what the Egyptians wanted.



**Mr. G. Taylor:** I look upon the bill as having merit in principle. However, there are many deficiencies within its content and within its process, many deficiencies within the actual detail of the bill, to the point that in some of it it is breaking new ground not only in the environmental area but also in many other areas of our jurisprudence, law and parliamentary procedure. However, that is not one of the main reasons not to proceed with the bill.

The procedures in the bill would create no certainty, no finality, sometimes no standards, because they would be at the whim of each individual jurist listening to the particular case, possible multiplicity of proceedings, definitely duplication and, most assuredly, enormous delays and repetition of the procedure.

**Mr. J. Reed:** Any would be better than none.

4:50 p.m.

**Mr. G. Taylor:** Indeed, I am sure the procedure in there would amount to an enormous production of work for the environmental lawyers, if not all lawyers. One of the main features of it is that there is no finality to any particular certificate, instrument or piece of environmental legislation. Not that there should be finality in some situations. One could have a situation where they were back and forth. Even having received an order or a standard, it does not solve the problem or the concern. It could be continually reviewed as each individual desires to review it. So that is one of the features. In law and in parliamentary situations and in the environment or any other situation, one must have a finality to the jurisprudence or to a particular fact situation, which this bill does not allow for.

The public trust situation, in particular, concerns me. As people throughout this world, throughout this jurisdiction, I guess our trust that we should continue on with this land has not been very good in the past and will not be good in the future. But we try to control that the best way we can with the government and whatever rules and laws they can put in. I am sure the following speaker, the member for Durham East (Mr. Cureatz) will emphasize more that situation and the record of this government. The factual record is, bar none, in excess of many jurisdictions, if not all of them, on this particular continent.

The member introducing this bill said Quebec has a better piece of legislation than we have. The legislation may be there, but the facts speak entirely differently. When their

sewers run straight through to the water system of this country, and they can put this before us and say their bill is better than our bill, the facts speak differently. We can proudly state the things that have been achieved by the government of Ontario today.

When we look at even more particular parts of the bill—and I have mentioned those that will be setting legal precedents—there is the onus section. There they have what is referred to in the common jargon in law as a reverse onus situation, where the defendant has to prove everything, in a situation, contrary to the usual situation where the plaintiff has to prove his case.

Here we are making monumental strides in a piece of legislation where the onus is reversed, usually reserved for the most heinous of crimes in our society today. One could easily say that polluters are today the most heinous people in society, but there are different grades of polluters and different things that pollute. The definition section in there brings in many people who could be polluting. Indeed, one might say that much that we speak about in here would pollute and foul the air. Under the definition section, they might be charged under this particular legislation; but, there again, it is the onus section.

The bill allows for class actions which have been and probably will become law. They have been studied, we have reports on them, they will be coming in tomorrow and will be of particular use in the future. Here again, the class action is getting far ahead of the present legislation. Indeed, in a class action where the class or the person speaking for the class bears no responsibility, the section says not to award costs.

The usual situation in our court procedure at present is that somebody has to bear the cost, be it the successful party or the unsuccessful party. In this situation the person being forced into the legislation, the plaintiff, does not pay the cost, which is the normal situation if he is at fault.

Here again—not in this situation—the plaintiff who may proceed each and every day with a particular action will not bear the consequences or any type of responsibility for the action, however frivolous or useless it may be.

The waiting period—here again there are some waiting periods of notification and request—is some 60 days. In some situations it is very necessary. In other situations, it is a problem.

When one looks at the definition section to see what the instrument is—and they refer

to a term called instrument—there are some 50,000 instruments issued daily in the way of septic tanks, in the way of all our environmental procedures. I believe there are some 50,000 of them issued daily, and I will get the figure from my notes somewhere.

It is a considerable number of permits that are issued which could all be stopped by this procedure, by this bill. It would allow for a hearing, probably a *prima facie* case, probably an appeal situation and then back for a hearing. Indeed, in some situations, one might say the toilets of Ontario could stop flushing with a bill put forth in this particular manner.

Those go to some of the details of the bill. I am sure some people would put forward the position that the bill can be corrected in committee and we can deal with it there. However, why is it always that, when one looks, the opposition particularly are so readily saying, "Let's get our position forward"? I am speaking possibly in a more partisan manner this time. They want to be in the position to be the saviours in whatever piece of legislation they are putting forward, be it the environment or whatever it is, and as the only possessors of the truth and the only ones who might be concerned.

I say they are not the only ones who are concerned. We have it on this side; we have it from the Minister of the Environment and from other ministers on this side of the House. Indeed, some of the original legislation in this field is taken from this side, and none has ever originated from the opposition benches.

I am proud of our record. Indeed, the minister is trying to improve it, and he will continue to improve it. I see nothing to favour support of this particular bill at this time except its principle.

**Mr. McGuigan:** Mr. Speaker, I rise to support the bill and I wish to compliment the member, especially for recognizing the contribution which was made by my leader, the member for Hamilton West.

The name of the act is rather profound, and one has to pause and reflect on the nature of lawmaking. In our federation of provinces, bound together by a common federal government, institutional arrangements to achieve any public purpose may begin in a variety of ways. These include initiations by an agency or head of staff, as a gleam in someone's eye—in this case the member for Beaches-Woodbine (Ms. Bryden)—by the authorization of the federal or provincial parliaments in general or specific terms, or assignment by the Prime Minister

under emergency powers and directions by the courts.

The bill before us today, if enacted by the Legislature into law, either in its present wording or with amendments, will take the latter course; it will place a great deal of power in the hands of the individual citizen and the courts.

That has not been a traditional road, although it certainly does play a very large part in our democratic principles. Parliaments tend to jealously guard the powers which they hold, just as King John guarded his royal prerogatives until forced by a group of nobles to hand over the power to others who, as history unfolded, formed parliaments or congresses or senates, according to the jurisdiction. We have the question today: Should we hand over certain powers to another body because we, like King John, have failed to guard the public interests, in this case environmental matters?

5 p.m.

The fact remains that parliamentarians, no matter how statesmanlike they appear, are influenced by thoughts of the next election. Quite understandably, politics sometimes win out. I do not want to be overly cynical, because I often marvel at how courageous ministers can be at times. The problem is simply that environmental concerns are very long term, measured not even in decades but in centuries, and the results of ignorance or neglect are in some cases irreversible.

Recent studies referring to the industry I am most familiar with show that eroded soils do not have the needed properties for detoxifying and degrading herbicides and insecticides. As anyone happens to observe in this present year when we have had so much rain, on those eroded hillsides there are bare spots where not a weed or a plant grows. That is really a result of herbicides not being detoxified because the conditions have changed. These properties are tied to organic matter levels, moisture levels and pH levels, and such interconnections are not unusual in nature and are becoming increasingly apparent.

Interconnections hold true for the management of our forests, our fisheries, our water resources and our energy systems, among others. We have too often taken the easy route. It is simply too easy to cut down a tree and move to the next one, rather than pausing to plant a replacement.

A case in point is the mercury that was dumped into our rivers by the chemical and paper plants. I will not refer much to that,



because the introducer has done so already, but I had occasion during the by-election in Chatham-Kent to run across one of those people who had been a fisherman on Lake St. Clair. When I found him, he was digging a ditch, which is rather a comedown for a fisherman—to become a ditchdigger. He did not curse the Conservative government; he cursed all politicians, myself included, because he felt politicians had failed him. I do not know how he voted, but he was certainly upset about all politicians.

I am convinced there must have been a scientist or two with the company—I am speaking about the Dow Chemical Company—who had misgivings but who knew that the price of speaking out would be his or her job, not only with Dow Chemical but also with any other manufacturing company in Ontario or perhaps even beyond. An environmental Magna Carta would have provided a forum and a remedy for such a person.

Who knows today what evil lurks within not just the chemical industry but almost any industry in Ontario that will perhaps burst upon us when the results are all too evident and it is too late to do anything about it.

The past summer, the select committee on Ontario Hydro affairs, of which I was a member, travelled to various places in Ontario and received testimony and briefs concerning wastes from the front end of the nuclear industry; that is, the wastes from the mines and from the refining processes. In total, the picture is not as bad as anti-nuclear people would have us believe, at least in my judgement, but neither is it as good as the pro-nuclear people would have us believe.

The miracle is that the mine tailings, while they present a danger to inhabitants of this earth for thousands of years, do appear to be manageable. You have to add the caveat that they are manageable if we are willing to accept one death per year for the next 76,000 years. It is easy to discount future deaths but, if we believe in the spirituality of man, all of us must accept a black mark on our consciences, both collectively and individually, for these future deaths.

The miracle is that the mines and mill wastes appear to be manageable. It struck me that it was more luck than good management. It was incredible to believe that no one was concerned until the dawn of the decade. It struck me that there must have been someone within the industry who would have gone to the courts if such a court existed.

If they had, the Serpent River Indian Band, represented by Chief Peter John, a

band of some 375 members, of which 175 are living on the reserve, would not now be reduced to living on welfare. Prior to the contamination of the Serpent River by effluent from the mine tailings and from the abandoned Noranda (later CIL) sulphuric acid plant, which closed in 1963 and left behind empty concrete buildings and a stockpile of processing material, the band lived by hunting and fishing. They have initiated studies to show that the material generated was, and is, acid which finds its way into the north channel of Georgian Bay.

(The band hired a consultant to recommend alternatives. These results have not been presented, but the preliminary results indicate that the site is beyond reclamation. The band received some reimbursement for the damage, but the sad fact is that before development 90 per cent of the band lived by hunting, fishing and trapping, while now only two members live by this method. Most of them live on welfare.)

One would have to really hear the sad and plaintive cry of the chief to really appreciate how badly he felt about that. That is not to say that I or the Indians are against development. They made that very clear. Every member of this House should pass this bill of rights to make sure that such unforgivable atrocities do not occur again. Development can proceed, but only after safety is proved.

I would like to read part of the brief from the Indian band, "We went on record before the board"—he is speaking about the Environmental Assessment Board—"in opposing the expansion of the mines until our band had received compensation for past environmental damage to the lands and waters traditionally used by our people in the maintenance of our way of life. The board in its final report stated that it did not have the power to grant the request. Perhaps an indication of where such power lies can be surmised in the board's report."

**The Acting Speaker (Mr. MacBeth):** The honourable member's time has expired.

**Mr. McGuigan:** I would like to take a moment to finish up by saying one of the most important aspects of this bill is that of granting funding to those people who are opposed. I submit that it is a very honourable and respected position to oppose, being a member of the opposition. I think that should be recognized in the Legislature and it is recognized in this bill.

**Mr. Isaacs:** Mr. Speaker, it is a pleasure to rise and participate in this debate on this exceptionally important bill and to ask other members of the House to offer support and

to implore that at the very least the government members will refrain from using their power to block this particular bill.

My colleague the member for Beaches-Woodbine has made a great contribution in this House on environmental issues during the period in which she served as environmental critic for the New Democratic Party. This bill is in a sense the culmination of the work she has done and of the very positive contribution she has made. I believe the bill provides a basis for a tremendous amount of committee work, for a study of the problems and for a forum in which the two opposition parties can get together with government members in an attempt to wrestle with the very serious environmental problems that we are facing.

Last December when a similar bill, moved by the Leader of the Opposition, was debated in this House, the member for Armourdale got up and described himself as an environmentalist. I suggest that we are all environmentalists. Indeed, I believe that all citizens of this country, and probably all citizens of the world, are to some extent environmentalists. Undoubtedly, some are more concerned than others, but I am convinced that every citizen would rise up in arms to protect the location of an undesirable environmental use next to his or her home. Certainly, they would protest if they were provided with the information.

This bill deals with that side of our life, our economy, our society. But, in addition, we are all polluters. It is unavoidable, almost through a basic law of physics that deals with entropy, it is almost unavoidable that we are all polluters, that we are all increasing the disorder in our world in the universe.

The concern does not lie with those competing interests, because society and nature are able to come to grips with those. The concern lies in the place where we are making an unnecessary and excessive mess of our environment because of some activity that is going on that could be curbed, restricted or dealt with in a different way. The concern of citizens of this province lies with the performance of the government in protecting their environment for now and for the future.

From comments that the minister has made over the last year and more, I am convinced that his heart is in the right place but, unfortunately, his actions or, at least, the actions of this government, do not always match his words. That is where the problem lies. I am convinced, too, that the minister is aware of this and regards it as a problem. And in his attempt to deal with it he focuses

on personalities rather than on the issues that are so important.

Last spring, in the estimates debate, I attempted to participate in a debate with the minister and his staff on the very serious problem of liquid industrial waste disposal. I attended the committee on the morning when it was expected that matter would be discussed. Instead of that debate, I sat for the whole morning through a tirade initiated by the minister against the Leader of the Opposition.

Again, this afternoon, when we attempted to raise very important questions about the management of a very serious environmental problem, an environmental disaster located in Hamilton-Wentworth, the minister attempted to turn it around into a battle of personalities and into a matter of the credibility of regional government staff in Hamilton-Wentworth. There is no doubt that those staff are attempting to do their best. I suspect, too, that the Leader of the Opposition, in his own way, is trying to do his best, though there may be questions as to whether his own way is anything like the most effective.

But the real problem, the real difficulty, is that the government in its actions is not addressing the problems that our citizens are facing today. So we have to take a look at other ways of providing recourse for citizens who feel that their environment is being unnecessarily degraded.

I would like to look at some of the arguments that have been made in support of the government's opposition to this particular bill.

One major item that has been raised repeatedly, particularly by industry, is that a transfer of some of these responsibilities to the courts—indeed, a giving of the courts powers in this tremendously important area—is a violation of our democratic system. I want to suggest that nothing could be further from the truth. Judges are not being given legislative powers by a bill of this kind. They are being given exactly the kind of decision-making power that judges are supposed to have. They are being given the power of an ombudsman to weigh the two sides, to weigh the evidence that is presented to them and to come up with an equitable and fair decision.

An alternative approach, which has been suggested in this bill, would be to establish an environmental ombudsman. An environmental ombudsman, to use some of the analogy that has been used previously, is rather like an environmental king. An en-



vironmental king would have to have the wisdom of Solomon to deal with some of the problems we are facing and to deal with some of the arguments that are made by the competing sides in these debates.

We cannot have an environmental king with the wisdom of Solomon. I doubt that it is possible to find any such person who would be able to stand up to the kind of stress that would be necessitated by the multitude of environmental problems that our society faces, but we can use the equivalent that exists today. In King Solomon's time, King Solomon was both king and judge. Today we have separated those functions. We give to our judges and to our judicial system the power to decide what is right and what is wrong according to our laws and according to the evidence that is presented to them. That is where the judicial system fits in to the environmental process.

Government cannot afford to support interveners, so it is often said. Yet we are seeing today in the entire waste disposal area a very strange mix of public and private sectors—a mix where government is becoming a co-proponent with the private sector on a large number of these waste disposal operations. Not only is the government being a co-proponent, but another arm of government is also being the judge.

While the environmental assessment system as it is being set up under the Environmental Assessment Act may prove to be valuable, it is nevertheless undesirable in the long term that the judicial function be mixed with the proponent function of those who are advocating certain environmentally impacting projects. To give that extra power to the courts to separate it from the government function, to put it into the judicial function and to allow both sides equal access to public funding as they attempt to wrangle with the very difficult questions that are raised by new landfill sites or solidification plants or sewage disposal systems or what have you—to give equal access for both sides, rather than to allow the government to link itself contractually with one side and to provide no help at all to the other side, is surely desirable and that is contemplated by this act as well.

The CMA brief that was presented to all members of this House at the time of the previous and somewhat similar bill last year dealt with absolute rights—

**The Acting Speaker (Mr. MacBeth):** The member's time has expired.

**Mr. Isaacs:** I would like to sum up one comment. The biggest problem in our deal-

ings with environmental issues is that industry, the biggest polluter, takes a negative attitude. Industry is supported in this negative attitude by the government. What is needed is a positive approach for the citizen who wishes to get involved in environmental issues. This bill provides an environmental Magna Carta for the citizens of Ontario. I urge all members of the House to support it.

5:20 p.m.

**Mr. Cureatz:** Mr. Speaker, might I say from the outset how pleased I am to participate in this debate this afternoon. As we are all well acquainted, of recent days environment has played an important part in discussions in this Legislature and in various committees. I want to say, however, that I feel this particular proposal is ill-considered. I believe this government has for some time recognized the need to create a climate of confidence within which industry will be encouraged to invest and expand. Stability and certainty in the rules of the game by which industry must play are key components of this environment. Jobs, after all, are also an important objective.

**Mr. Haggerty:** You sound like Ronald Reagan.

**Mr. Cureatz:** I already heard the member for Erie. He hasn't spoken so much since sitting on the select committee on Ontario Hydro affairs. I like to see that he is in attendance.

This proposed legislation would take all certainty out of our existing law and environmental regulations as courts would be able to set or change standards, regardless of existing laws. The bill would empower the courts to set contaminant levels and, in fact, to assume the legislative and regulatory responsibilities traditionally assigned to a government that is directly answerable to this Legislature and responsible to the people of this province. I believe this would produce barriers to the reasonable use of the environment and create a restrictive or even impossible climate for the conduct of normal business. Instead of limiting or reducing business risks, the bill would increase them.

I am certain that the thousands of smaller independent businessmen who contribute so much to the economic prosperity and well-being of this province would find it impossible to expand or alter their operations to any significant degree.

I believe the members opposite tend to lose sight of the many accomplishments and initiatives this government has taken to protect the environment of the province. Ontario,

this country's most populous province, despite the opposition's daily gloom-and-doom predictions, will continue to be the industrial heartland of this great country.

The environment has been steadily improving since the introduction of the Air Pollution Control Act in 1967, pioneer legislation aimed at combating air pollution in our cities and towns. Ontario is winning the battle against pollution. Through planning and improved technology, this government is making it possible for all Ontarians to carry on the essential industrial activities upon which our prosperity is based.

Yet, at the same time, this government has striven to protect the delicate harmonies of nature. To ensure the balanced management of our natural heritage, this government has developed enlightened environmental legislation. Ontario was the first province to recognize the environment as a priority. It established a ministry to protect the environment in 1972. The Ministry of the Environment has three of the most progressive pieces of legislation with which to protect Ontario's natural beauty: the Environmental Protection Act, the Ontario Water Resources Act and the Environmental Assessment Act.

The record of this government and its involvement in environmental protection are impressive and quite extensive. I would like to highlight just a few of these government achievements. My colleague the Minister of the Environment has introduced legislation with respect to spills of pollutants, including dangerous chemicals and toxic wastes. The transportation of hazardous substances is a necessary part of modern industry. This new legislation imposes clear responsibility for cleanup, provides for more immediate and more effective action in environmental emergencies and provides a better mechanism for recovering costs and damages from responsible parties.

The member for Niagara Falls (Mr. Kerrio) has always been very emphatic about environmental conditions, observing hour after hour and making comments on the select committee of Ontario Hydro affairs, either here at the Legislature or out on tour, as in the town of Port Hope. He is continually bringing up the problems that he envisions in his own riding of Niagara, and they have been well put by that member. I trust through the kind co-operation of our own government and his friends in Ottawa that solution will be found.

The Honourable John Roberts—isn't that the man the member likes?

Mr. Kerrio: It is your friends in Ottawa.

Mr. Cureatz: Ontario's emissions in sulphur dioxide are down 25 per cent from 1970 levels, despite growth in our population and industry. This government has taken a firm initiative to combat our air pollution. According to a recent United Nations report, Toronto boasts the cleanest environment of any industrialized city in the world.

Mr. Mancini: Did the Minister of the Environment write that speech for you?

Mr. Cureatz: I hear the member for Essex South. I am always amused at that member. When he had a private member's bill on increasing the drinking age from 19, do members know how hard he lobbied over on this side of the House? He cornered me one day and pleaded his case. I said to him: "It sounds like a very intelligent piece of legislation. You have my support." Now there he is, hammering away at me from the opposite side. That is the kind of appreciation I get for doing those members a favour.

Interjection.

Mr. Cureatz: He still isn't quiet. He is still hammering away.

Finally, an area that is often taken for granted by the public is Ontario's extensive modern waste system.

Mr. Bounsall: You would rather talk about drinking than the environment.

Mr. Cureatz: Listen to the member for—where is he from, Windsor-Sandwich? He forgets about the pleasant time we had in the city of Oshawa at a wedding that we attended on a jovial occasion. There he is, back again, after trying to suggest devious means for my trying to get funds from a particular organization. There he is. He hasn't given up yet. He is still there.

More than \$5 million has been invested since 1955 to ensure clean water supplies to 98 per cent of Ontario's urban population or 85 per cent of the total population of this province. There are 429 publicly owned water supplies currently in operation in Ontario, supplying more than two billion Imperial gallons of drinking water per day. Commercial waste systems now serve 94 per cent of Ontario's urban population or 82 per cent of the total population. There are publicly owned waste water treatment plants currently in operation, and that total continues to grow every year. These are very significant accomplishments, especially if one glances to the east and realizes that one of Canada's two major cities continues to discharge raw sewage into the St. Lawrence River.

Ontario's solid performance to date will not lead to complacency. Ontario is continuing to



develop technologies, such as our new dioxin-testing laboratory, and new initiatives to maintain our high standards for environmental protection. The framework to take on new industry and enterprise in Ontario, without damage to our precious heritage of fresh water, clean air and abundant forests, has been established. As a result, I believe this proposed bill has serious flaws and I will not be supporting it.

**Mr. G. I. Miller:** Mr. Speaker, it is a pleasure to rise and speak on ballot item 24 brought in by the member for Beaches-Woodbine. As my colleague has indicated, it is something we can support. I would like to point out that our leader brought in Bill 185, An Act representing Environmental Rights in Ontario, which was debated on December 13, 1979. I think both bills are similar in what they are trying to achieve.

I guess I would like to say first of all that our critic, the member for Huron-Bruce (Mr. Gaunt), who has contributed so much to the environmental issues in Ontario over the past five years that I have been a member of the Legislature, perhaps would have been more fittingly able to speak on this bill today, but it is certainly a pleasure for me to have the opportunity because I really feel deeply that our environment for future generations is very important.

I would like to support what our leader said in the debate of December 13, 1979. He said: "When I speak to my own children about this, I have the feeling there is nothing we do in this Legislature more important in the long run than decisions we take with regard to preservation of the natural environment. That is, after all, a trust and a heritage we are supposed to keep for the future generations, not to exploit it to the point where future generations will be without the benefit we receive from those who have gone before."

I think that is really what we are trying to achieve by bringing up this bill in the Legislature. That is one reason why I can support it. There were some comments made by the government members. The member who has just spoken, the member for Durham East, indicated that 94 per cent of the people of Ontario do have access to a good water supply. I would like to point out to him that they are at present putting in a new water line in the region of Haldimand-Norfolk. It is going by many doors that could use a good water supply, but the government is not providing even a fitting in that main line to enable taking a line into that last six per cent. They have just as much right to a good water

supply as the ones who live in an urban community. So I think there are areas to improve.

5:30 p.m.

The member for Simcoe Centre was proud of the government's record, and I suppose he has some justification for that. But in the last five years, since 1975 when a minority government was elected, perhaps more has been achieved than since the Ministry of the Environment first began. We can take some credit for that.

I could point to two or three incidents when the people rose up. One was really close to my own area, Haldimand-Norfolk. They tried to use a deep well to dispose of industrial waste; the people did not have confidence in the ministry and they were able to block it. Another was the industrial waste lagoon being put in the township of Walpole in the city of Nanticoke. The people again rose up and pointed out to the minister and the people of Ontario that it was not the thing to do, to store their industrial wastes in the lagoons.

We must force industry to recycle their materials, the same as the farmer recycles his waste materials, and use it effectively and efficiently. As long as we go the easy route, that is the direction we are going to take. It is not necessarily the cheapest in the long run. It is cheaper only for a short period of time, as has been exemplified by the Love Canal in Niagara Falls. Our member for Niagara Falls has been a very staunch proponent of the rights of those people and to prevent the effluent going into the Niagara River. He deserves much credit for standing up and making that known.

Also, in the case of the Upper Ottawa Street dump in Hamilton, while it may not be as explosive as it appears, we cannot be too cautious in protecting the future of that municipality. I wish the minister had participated in the debate today to indicate what has been done and to give his views on this bill. I see he has abandoned that.

As far as the bill itself is concerned, it is probably a progressive step. One of our colleagues, I think it was the member for Erie, pointed out it could be a lawyer's nightmare. That is one thing I would be afraid of. It would be better to spend money on recycling or disposing of industrial waste than to get into legal entanglements with lawyers and spending our money that way.

As for money for people who participate, for citizens who stand up, there were two associations formed in my riding. They spent \$35,000 to \$40,000 of their own money on

one incident and on the other probably \$25,000 or \$30,000 to fight government, which was supposed to be looking after us. They certainly should be given some assistance in that regard.

If we had a government that could get the confidence of the people and assure them they were moving in the right direction, I believe people would accept that if we could involve them to that degree. Maybe a bill such as the one being presented today could achieve that, and that is the reason I support it.

One final comment: As the member for Haldimand-Norfolk, as long as I am a member of the Legislature, I would like to leave my riding and the province and the country better than I found it.

**Mr. Bounsall:** Mr. Speaker, I rise to support this environmental Magna Carta proposed by my colleague the member for Beaches-Woodbine. It is far and away the most far-reaching and comprehensive piece of environmental legislation with respect to rights that has ever been introduced into this Legislature and, I suspect, ever introduced into any Legislature in Canada. It certainly goes a lot further than the bill mentioned by the previous speaker which was introduced by the leader of the Liberal Party. Certainly, step by step it is much superior and goes considerably further, particularly in that area of the protection of employees from being terminated from employment because of providing information to the environmental group or to an assessment hearing which would assist in assessing or analysing what has gone on in the past. It is those sorts of clauses that make it a superb bill and call upon every member of this Legislature with any conscience whatsoever to support it.

In particular, I want to say a few words about liquid industrial waste sites and the appalling record which this ministry has had in selecting them, and in thinking that they might be at all acceptable. They have an appalling record in terms of what they have been accepting or will accept, and an appalling record in terms of dealing with the public on the matter. This, of course, is with specific reference to the Harwich dump site down our way in the far reaches of southwestern Ontario.

This summer I sat through a whole host of Hydro select committee hearings, some of which were concerned with finding a suitable site, and therefore the need for environmental assessment, for the expansion of the

Port Hope uranium refinery. In this regard, I find that the proposals we would like to make would be very similar to ones we would propose to this Ministry of the Environment in terms of getting public assistance. I might say they are rather close to those contained in the federal document released in March 1980, entitled *Environmental Contaminants: Board of Review*, the first board of review that dealt with the disposal of polychlorinated biphenyls, but they make the general point in that report—and I will simply quote it:

"The board recommends that federal and provincial governments, in co-operation with each other, if they are convinced that this type of incarceration is the procedure of choice today, should find a site which, to satisfy public concern, should preferably be distant from any residential community, and that the education process required to make that siting convincing and acceptable . . ."

This is precisely what has not been done, either in the federal jurisdiction or in anyone's jurisdiction, with respect to this particular chemical or with respect to any liquid industrial waste dump site anywhere in Ontario. I would suggest to the Ministry of the Environment that they immediately form a committee composed of some government officials, but mainly composed of representatives from every environmentally concerned group in Ontario, to help them select a site in the province for these wastes, for which we must find a site. Anything less than that kind of public-concerned involvement, starting right from square one in the choice of the site, is going to be patently unsuccessful. Otherwise, any search by this government to turn up a site will be unsuccessful.

To get back to the topic of Harwich township: On May 23 a headline story appeared in the *Globe and Mail*, "Township's Mistrust is Ministry's Reward for Years of Poison." They have been putting liquid industrial wastes in that Harwich dump site; they now want to expand it with an increased plant to do many other things, and they wonder why they are running into problems.

This government has no trust at all from the people of Harwich township in terms of what has gone on in the past. There is good reason for that mistrust. This summer, some of the concerned citizens—I know several of them—went down and did some of their own testing and some of their own observations. On that site only three trucks on a given day were logged as coming in and dumping industrial wastes but, in fact, all trucks went in and dumped industrial waste. Only



three of them logged in. That is virtually a crime and certainly will never engender trust in anyone living near that Harwich dump site.

5:40 p.m.

There are also other concerns which those people doing the inspections have. One particular firm, Honey-Bee Sanitation, has a cross-border licence and, unless a very close check is being made, they suspect, as I do, that Michigan wastes are being dumped in that Harwich dump site.

When you talk to the farmers, you find they have certainly had green sludge leaking out into the drainage ditches in the vicinity of that dump site and it has killed some of the domestic fowl they raise on their farms. Ducks have been found dead, having been on those wet ditch areas into which that sludge has been pouring.

Let me tell you about the University of Windsor liquid industrial waste that gets put on that site. I understand, from people who observed it this summer, that the people in the trucks bringing that material there are fully dressed in protective uniforms, complete with masks, all the way from Windsor to this dump site. That material is carefully craned off and none of them remove their masks or any of that protective equipment.

That gives me concern, not only about what is going into that dump but also about the movement over the roads of material that is sufficiently dangerous for such precaution to be taken with it.

I might say that the high school students of Harwich township and their parents are certainly finding themselves right at home with their Shakespeare these days and thinking, as they read Macbeth, how up to date Macbeth was in many of its comments. The woodlot across the road could well be Birnam Wood as they read Macbeth and come across lines such as, "Out, out this dark spot," and, "Not all the perfumes of Arabia can remove the smell incarnate off these hands."

That is what is happening in the whole area of Harwich township, and it has been going on for the past 11 years. The committee of concerned citizens there, which is called CRAW, Citizens Rebelling Against Waste, has outlined its concerns in no uncertain terms.

This site does not meet with the recommendations set out in the MacLaren report. An interim summary was made about the suitability of the Harwich dump site by MacLaren, related to the ministry's own cri-

teria for dump sites. What did they find? They found that that dump site, which has been there for 11 years and which the ministry wants to expand, does not meet more than half of the requirements that the ministry actually would require. Yet the ministry wants to expand that and go on.

They say further, why does the government not appear to be listening to what it is being told by this engineering firm, a firm hired with our tax dollars to investigate and make recommendations on this liquid industrial waste problem, and which has found that the site is not suitable? It is a very valid point. Why is this government not listening?

They give a rundown of their points. It is near an urban area; it is a conservation area in the heart of Ontario's prime agricultural land; it is really a southwestern Ontario Garden of Eden, Mr. Speaker, almost as good as the area from which you come up north in terms of its beauty. We are going to further despoil this with increased dumping of industrial waste in a system which they have not vetted up until now.

**Mr. Speaker:** I am listening with great interest, but the member's time has expired.

**Mr. Bounsall:** I thought if I mentioned your riding in northern Ontario, Mr. Speaker, you might give me a couple of extra minutes, but that did not work. So let me conclude by saying that the government must take its own advice in these things, its own engineering surveys which it paid for with our money, and it must fund properly the environmental groups concerned to make the proper assessments.

**Mr. Kerrio:** Mr. Speaker, I rise to support this bill, because if there is one thing of high priority to me as an individual, and I am sure to many members of this Legislature, it has to be a concern about our environment.

Some pretty high-profile individuals in all governments across Ontario, Canada, and lately in the United States, have certainly abdicated their responsibility for the protection of our environment. The most recent is one of the people who aspires to the presidency of the United States, Mr. Reagan, who went down to Ohio and said we should burn all that coal with the high sulphur in it and so pollute some of the lakes in Ontario.

Now that the minister is here and he might be listening, if he has seen some of those ads with that beautiful young woman

coming sparkling out of a lake, I suggest she is acid clean if she comes out of one of those northern lakes. Our ministry is not protecting our lakes to the degree that it should.

I suggest it is an affront to the people of Ontario to put those ads in the paper, simply because people within the ministry are suggesting they do not have funds to put inspectors in to find dangerous, toxic sites in Ontario. I say it is disgraceful that we could put ads in the paper and tell people from other jurisdictions they should come here because it is clean, and in another paper say we do not have the funds to put inspectors in to find situations that exist in the Upper Ottawa Street dump.

**Hon. Mr. Parrott:** It happens to be true.

**Mr. Kerrio:** Now that the minister would like to participate in this debate, he should do it in an orderly fashion and not try to interrupt a member who has a very important message. It was said on a previous occasion during the debate today that we are practising to take over the minister's job. My fellow legislator put a bill forward for dental care for the aged, and we are going to do our part by sending one of the good dentists back to his old job.

In any event, to get the record very clear, the reason I am supporting this bill, and the reason for this discussion and the argument that the minister and I have had for many years as it relates to my reasons for having such a bill carried today, is that those people on that side, who have said for many years that the polluter will pay, have abdicated that position and now are waffling all over the place. They really have not put anything worthwhile into place, and that is why this member has had to come forth with this bill that is before us.

It speaks of another area that is very bad as it relates to the people who have to protect their environment. That is, across this province, across Canada and in the United States, private citizens have to band together to protect themselves against governments that have failed to do their job. If those people are going to do something in a meaningful way, they should at least have access to the kind of funding that will allow them to be involved in a situation where it is not a David and Goliath confrontation with the government on one side with all the resources at their disposal, and the people who are trying to defend their environment with very limited resources on the other.

This government must take the position and make it very clear that they would at least allow equal representation on behalf of the people of Ontario who now see that the fight is back in their court. That is why many of us on this side might get credit for not being positive or constructive. It is very difficult because in all the years the government has had the opportunity to do something worthwhile, it certainly has failed to do it.

5:50 p.m.

As it relates to my particular—

**Mr. Speaker:** I would remind the member for Niagara Falls that the sponsor of the bill, the member for Beaches-Woodbine, has reserved three minutes for a windup. I think you've had it.

**Mr. Kerrio:** Mr. Speaker, I want to commend the member for putting the bill forward and tell her we are going to support her and we are going to help them put some meaningful legislation on this table one way or another.

**Ms. Bryden:** Mr. Speaker, I welcome the support of the Liberals very much, and I hope it will spill across the floor of the House and that there will be equal support on the other side of the House.

I am surprised that the Minister of the Environment did not participate in the debate, especially after he had promised last fall to bring in a bill embracing some of the points in the previous bill on this subject. But he never specified which points, so we are still in the dark as to which parts of this kind of legislation he does support. We have no assurance that he is bringing in anything on it.

However, if the members opposite and all the members on this side vote for second reading, we will be on the way to some good legislation in this field, which we can amend in committee, if necessary.

The member for Simcoe Centre (Mr. G. Taylor) appeared to be seeking another excuse for blocking this very necessary legislation and keeping Ontario in the dark ages with regard to environmental legislation.

He latched on to the reverse onus provision in the bill and proceeded to confuse reverse onus in criminal matters—where one is presumed innocent until proven guilty—with the use of reverse onus in civil matters in special circumstances.

I think reverse onus is justified in civil cases if the lack of it results in failure to achieve justice, as has happened in too many



environmental cases. The reason is that the cards are stacked against the appellant because of the potential financial costs and because he is often dealing with a very big company which is the despoiler of the environment.

I think in this case reverse onus is justified in environmental matters because the contamination of the environment affects all dwellers on this planet. The despoiler should have to prove that he is not endangering our Spaceship Earth.

Most of the speeches from the Tory benches were mainly self-congratulatory on Ontario's largely unused environmental legislation.

**Mr. Speaker:** I must remind the member that the time for this item has expired.

**Ms. Bryden:** I just wanted to say that we need to move ahead to new legislation instead of basking in the record of past legislation, much of which has not yet been used.

#### AID TO PENSIONERS

**Mr. Speaker:** Mr. Ruston has moved resolution 28.

Resolution concurred in.

#### ENVIRONMENTAL MAGNA CARTA ACT

The following members having objected by rising, a vote was not taken on Ms. Bryden's motion for second reading of Bill 91:

Auld, Ashe, Baetz, Belanger, Bernier, Brunelle, Cureatz, Grossman, Henderson, Hodgson, Johnson, J., MacBeth, Maeck, McCaffrey, McCague, McNeil, Newman, W., Norton, Parrott, Pope, Ramsay, Rotenberg, Scrivener, Snow, Taylor, G., Villeneuve, Walker, Watson, Wiseman—29.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Maeck:** Mr. Speaker, on behalf of the government House leader (Mr. Wells), and pursuant to standing order 13, I wish to indicate to the members of the House the business for the rest of this week and next week.

Tonight there will be debate on the three Ontario Hydro affairs committee reports as shown on today's House business paper in this order: (1) the interim report on safety, (2) the final report on safety and (3), if there is time, the interim report on capacity.

Tomorrow we will be doing the Premier's estimates after the question period.

Monday, October 13, is Thanksgiving, and of course the House will not sit.

On Tuesday afternoon, October 14, we will have third readings of Bill 85, the Registry Amendment Act; the Limited Partnerships Act; Bill 136, the Land Titles Amendment Act; Bill 137, and Bill 138, the Boundaries Act. There will be second reading and committee of the whole House on Bill 59, the Game and Fish Amendment Act, until six o'clock. In the evening we will have the budget debate; I understand the member for Port Arthur has the floor.

On Wednesday, October 15, three committees may meet in the morning; they are resources development, administration of justice and general government.

On Thursday afternoon, October 16, we will have private members' ballot items 25 and 26 standing in the names of Mr. McCaffrey and Mr. Epp. In the evening we will have the reports from the Ontario Hydro affairs committee on safety, if it has not been completed this evening; then on capacity, if it has not been completed this evening; then on fuel waste, if there is time.

On Friday, October 17, we will continue the Premier's estimates.

**Mr. Cunningham:** The sound system seems to be failing, although not failing here at the moment. I did not hear anything with regard to the plan for next week to respond to the problems of jobs, layoffs and the economy. Did I miss that?

**Hon. Mr. Maeck:** No. The member did not miss that. It is not on the agenda.

**Mr. Cunningham:** Thanks. I just wanted to clarify that.

The House recessed at 5:58 p.m.

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, October 9, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

The House resumed at 8:05 p.m.

THURSDAY, OCTOBER 9, 1980

## SELECT COMMITTEE ON ONTARIO HYDRO AFFAIRS (continued)

**Mr. Speaker:** According to the order of business announced just prior to the six o'clock recess, we are going to deal with item one, item three and, if time permits, item two. Unless we get some instruction as to the allocation of time, we will just let nature take its course, unless the acting government House leader has any more definite understanding of the allocation of time this evening.

**Mr. MacDonald:** Mr. Speaker, I understand there is an agreement to share the time equally among all three parties.

**Mr. Speaker:** Are the table officers aware of that? Thank you.

**Mr. MacDonald:** Mr. Speaker, so we may resolve any remaining confusion, as I understand it, tonight we are talking about the interim report and the final report on reactor safety.

**Mr. Nixon:** But not together.

**Mr. MacDonald:** They are all on the floor for tonight's debate.

**Hon. Mr. Welch:** Let's get one off the order paper.

**Mr. MacDonald:** We won't get them off the order paper until we have debated them.

**Mr. Nixon:** On a point of order: With respect, if the chairman of the committee is suggesting that we do one and three together, I would like to object, because the reports are separate. They are not identical, and there is a very important dissent having to do with the first report which I would like to refer to.

**Mr. Warner:** That's the one the member wrote.

**Mr. Nixon:** Well, by coincidence it is.

**Mr. MacDonald:** Mr. Speaker, I don't think there is any problem here. The final report on reactor safety encompasses 90 plus per cent of the interim report. I acknowledge there was a dissent by the honourable member who has just spoken.

**Mr. Nixon:** Why did the member not include it?

**Mr. MacDonald:** The member knows why it was not included. He was not there to see that it was included.

**Mr. Nixon:** I am here to see that it is included.

**Mr. MacDonald:** He can speak to it. I think there is no problem, because we are debating one and three together tonight.

**Mr. Nixon:** No, we are not.

**Mr. MacDonald:** I suggest that we should.

**Mr. Nixon:** Mr. Speaker, the last thing I want to do is impinge on the prerogatives of the chairman who has been, I would say, very successful in steering the business of the committee in such a way that about half the terms of reference have been very well covered. There is a good deal left to do and we may have something more to say about that, either on this or on a later occasion.

I want to refer to a dissent I had on the interim report. As a matter of fact, it was not possible for me to continue as a member of the committee following the interim report, and I have looked at the final report with a great deal of interest. The chairman is entirely correct when he says that most of the recommendations are the same. As far as I am concerned, I did not think the additional recommendations really were of an importance to justify another three months of hearings. But, of course, that is a jaundiced view I have.

I should perhaps be sure that there is no mistake on what I have gathered from my work on the committee. I am extremely proud of the technological achievements made by Ontario Hydro and Atomic Energy of Canada.

**Mr. Speaker:** Is the honourable member talking about the report or the point of order?

**Mr. Nixon:** I am talking about the report, sir.

**Mr. Speaker:** I thought the honourable member was addressing himself to the point of order. The chairman of the select committee on Ontario Hydro affairs has made his position quite clear. As the person who has to make the final decision as to the order of business based on what I heard from the

acting government House leader, which I take to be a consensus arrived at earlier by the House leaders, I would have to rule that we will deal separately with item one, then item three, and, if time permits, item two. I will now hear the member for York South on item one, which is safety of Ontario nuclear reactors.

8:10 p.m.

**Mr. MacDonald:** Mr. Speaker, item one is the interim report. All of my remarks are going to be on the final report. I concede the floor to the honourable member who has just taken his seat so he can get rid of the dissent that is bothering him so much.

**Mr. Speaker:** The member for Brant-Oxford-Norfolk on item one.

Resuming the adjourned debate on the motion of the interim report of the select committee on Ontario Hydro affairs, dated December 1979, re: safety of Ontario's nuclear reactors.

**Mr. Nixon:** Mr. Speaker, I appreciate your ruling and the kindness of the chairman in allowing me to proceed. I did want to say—and I have begun my comments, which shall be brief, I assure you—that I am one of those, and I believe there are many, who are extremely proud of the technological achievements made in Canada, resulting in the Candu reactor and, more than that, its development as a power source.

There is no doubt that Ontario leads the way in this area. I can recall sitting in my seat, unfortunately in this general area, those many years ago when the Minister of Energy, a car dealer named Simonett from Sharbot Lake, announced the decision that probably had been made for him, with some respect, that Ontario was going to go forward with a world-class power development at Pickering and then finally in the Bruce.

I believe that our careful investigations as to the safety of these reactors has properly led the committee to accept the phrase "acceptably safe." There have been some dissents even on the use of that phrase, but in my view it is reasonable for us as members of the Legislature to accept that and to indicate to the populace that this is our considered opinion, arrived at as independently, I would suggest to you, as is possible. It was also our good fortune to receive evidence from world-class experts, international world-class experts.

I should also indicate, since this might be raised if not later this evening at least on another occasion in the near future, that we had good counsel and we had general advice

from our staff that was second to none. As to the cost of that advice, I have an opinion that is well known and I will have something to say about that on another occasion.

I did feel, however, particularly since this was a special reference to the committee or a special emphasis to the committee, that there was a danger in us giving an incorrect impression to the populace that there was some reason for untoward concern as to the safety of the reactors. You may well recall the circumstances at Three Mile Island that precipitated these general hearings. The committee got under way earlier than had been normally expected, and we drew from our terms of reference one phrase having to do with reactor safety which occupied our attention for a number of weeks of work.

My own feeling, and I expressed it at the time and I express it again, is that the House was not well served by the committee in the fact that we did not bring in a final report on reactor safety in the fall session. I gathered, and certainly it was my feeling, that we were representing the populace at large, all of whom would like to have had an opportunity to talk to the experts, get all of the information that our undoubted powers and your warrants would get for us. We were able to examine these with professional assistance and in my view come to that rational decision, and we could have come to it earlier than the committee saw fit to do.

I believe in some respects the community has perhaps lost some interest in this. It has recurred a bit with the vote in the state of Maine where the anti-nuclear forces had a referendum put on a ballot as to whether the state wanted to continue with the utilization of one of the major reactors.

I did want to refer briefly, however, to my dissenting opinion in the interim report. I don't intend to read it all, but only one or two paragraphs:

"My dissent from the recommendation calling for a far-reaching study to analyse the likelihood and consequences of a catastrophic accident lies in the same field. I believe no research will prove anything other than a catastrophic accident is possible but highly unlikely. This is the same sort of information that has led us to conclude that our reactors are acceptably safe."

I also dissented from a recommendation that occurs in the final report. I felt that our committee was definitely going beyond its terms of reference and obviously beyond its powers when it made recommendations to the government of Canada having to do with the Atomic Energy Control Board.



It is obvious in our hearings and discussions that we felt the AECB might have been stronger in its directions to Ontario Hydro. There was even a feeling that the AECB was one of the last agencies or groups in Canada to be overawed by the undoubted high reputation of Ontario Hydro, which I think gave Hydro the confidence to argue with the control board in a way that I felt the control board had reacted to perhaps more timorously than was necessary.

There were some clear misgivings on behalf of the control board having to do with safety measures, and they repeatedly postponed a specific decision in their instructions to Ontario Hydro. In instances when their instructions did seem specific, Ontario Hydro, like a recalcitrant child, would go back and say: "Let's go over those arguments again. We are not prepared to accept your order as an order, but we would like to review it further." I believe the control board has strengthened its position in that respect.

One of the important functions the committee served, in my view, was that Ontario Hydro's attitude towards public information was changed rather dramatically. As a matter of fact, they eventually inundated us with so much information it was only my good friend the member for Carleton East (Ms. Gigantes), who was able to peruse every last piece of statistic and draw a considered conclusion from it. Not all the other members of the committee were able to go through that 14.5 tons of documents.

**Hon. Mr. Welch:** Do you mean the chairman?

**Mr. Nixon:** I don't mean the chairman, no. Definitely not the chairman. He flies by the seat of his pants in this, as in other matters.

I did feel when we instructed the government of Canada to increase the funding of the control board we were definitely going beyond our terms of reference and being even a bit condescending. The attitude seemed to be growing in the committee that we were probably the world authorities on most of these things but, while we worked assiduously and since 1975 spent \$1,640,491, I still think even the expenditure of that amount of money does not make us into world authorities.

The Parliament of Canada, also made up of elected people, has the responsibility for the control board and, frankly, I was very deeply impressed with the individuals, particularly the senior administrative officers from the control board who repeatedly visited our committee and answered our questions and

provided the information that we had indicated we needed.

I would read a further paragraph from this dissent, which I would recommend to all of the members to read again. This is from page 60 of the interim report, and I quote myself:

"I particularly object to the recommendation that the Atomic Energy Control Board should broaden its membership to include representation from the general public. The last thing we need in our atomic energy control agency is to establish some sort of an atomic parliament or nuclear debating society. It is, however, within our responsibility as a committee to make it clear the body we recommend in the report"—and Mr. Speaker, I am sure you are aware of that recommendation—"to review matters of nuclear radiation safety in Ontario should and must provide a forum wherein residents of Ontario, whether professionally trained or not, have a place to express their views and concerns, not only about the long-range nuclear program but also the mining and refining of uranium and disposal of radioactive waste. This is something we can do in our jurisdiction which will involve citizens in the solution to the many problems associated with policy and practice in the nuclear field."

There was a feeling, which probably is growing even stronger, perhaps in the mind of the chairman if not in the minds of other members of the committee, that this body of the Legislature ought to be somehow made permanent and, like the select committee on company law, never come to its deliberations, but always be there—

**Mr. Foulds:** That is a cheap shot.

**Mr. Nixon:** Cheap? At \$1.6 million?

**Mr. Ashe:** No. Expensive.

**Mr. Nixon:** It is not a cheap shot at all. I would simply say—

**Mr. Foulds:** I suppose you turned your per diem back in, did you?

8:20 p.m.

**Mr. Nixon:** Now that's a cheap shot. Mr. Speaker, a labourer is worthy of his hire, and I feel the money that the taxpayers provided to me for my work in that committee was probably as well earned as by most of the other members of the committee, and I certainly don't apologize for that.

It's unfortunate that my sensitive colleagues to the left consider this an attack on them, because it certainly is anything but that. The idea of a continuing group from this Legislature to review matters pertaining to energy and particularly to Hydro has very

properly been seriously discussed in the committee. I put it forward myself. My own judgement, however, is that it would be far better to accept the recommendation put forward in the report which would establish, not a body in control but one that can receive the views of citizens, experts and others having to do with the role of nuclear physics in our power development and other aspects of provincial policy. In this way, we can have a continuous supervision of these matters and the information can be reported to the Legislature.

My own feeling is that a select committee of the Legislature from time to time is necessary to deal with Hydro problems but, in my view, a continuing committee is not in the best interest of the work of the Legislature. I feel that it will definitely have diminishing returns to have the committee dealing on a continuing basis with these policies and problems as they unfold.

I wanted to have an opportunity to express my views in dissent on the interim report, and I appreciate your ruling, Mr. Speaker, that has permitted me to do so.

Report adopted.

Resuming the adjourned debate on the motion for adoption of the final report of the select committee on Ontario Hydro Affairs re: safety of Ontario's nuclear reactors.

**Mr. MacDonald:** Mr. Speaker, at the outset, I want to make two brief comments with regard to the final report which will be in part something of a reply to the comments of the honourable member who has just taken his seat.

He objected to the fact that there was not a final report last fall. He felt that one could have been brought in. All I report to the House is that the majority of the committee felt that there were five areas in which we wanted further testimony, and I thought that most judges and most juries did not come to a final decision until they have all the evidence. We did not get that final evidence until February; therefore, the final report was produced in June and is being debated only now. His was a minority feeling and, unfortunately, in this instance he lost.

I am not going to argue the point of the cost. The cost of the committee is roughly \$500,000 a year. One recommendation of this committee with regard to Bruce heavy water plant is—that it should not be proceeded with, or at least half of it should not be proceeded with—saved this province \$60 million. Interestingly enough, the government dismissed it; then Hydro implemented it and pulled the rug out from under the

government. That one saving would have financed the committee for the next 100 years, to say nothing of all of the other things that the committee has done which I suggest have been of significant importance.

I start my comments on the final report on reactor safety by expressing the hope that all members of the House will feel enthusiastic in terms of adopting it. I acknowledge there were one or two areas in which there was minority disagreement; in one instance it was the Conservative Party, and in another instance it was the New Democratic Party. But, fortunately, we have moved to a procedure with regard to select committee reports in which the minority dissents are embodied in the report. Therefore, it is possible to adopt the report, encompassing those minority decisions so that people get some idea of the perspective of views that happened to emerge in the committee. Certainly, it will give the right for anybody to speak to those minority views during the course of this debate, and I suspect it is a right that is going to be fully used.

Let me begin my comments with a general observation that has no reference specifically to any of the many recommendations the committee made. If there was one major running complaint with regard to the nuclear industry and all of its aspects, Hydro and its generation, AECL and AECB, prior to this committee's getting into operation, it was the complaint that the nuclear industry was something of a closed shop and that adequate public access to information was not available. I think the one major achievement, and in the long run it can be of profound significance, is that the industry is now open.

For example, in its relationship with Hydro, the committee unanimously said at the outset that any document the committee wanted would be made available by Hydro, and Hydro knew we had the power to get those documents. With some degree of concern and some degree of apprehension, they agreed to make them available. They put certain restrictions on certain of the documents so that they would be available in a restricted fashion and one could not photocopy them and, therefore, take them out in sections so that, in effect, one would have the whole document. They felt that would infringe security and the proprietary rights of Hydro.

Let me say that when the committee was finishing its hearings, of the evidence, on the concluding day one of the top people in Hydro volunteered the view, having seen



all that had happened, that Hydro's apprehensions were perhaps exaggerated and unnecessary and that nothing untoward had happened because of the opening up of the industry. One of the things the first recommendation spells out is that all of the information that became available to the committee will be available in a continuing fashion. The recommendation says it will be available in the legislative library. I do not know whether the legislative library in perpetuity is going to maintain these documents. If not, they certainly will be available down at the head office of Hydro and available to the public at any point.

Second, they made the recommendation—and I draw this to the particular attention of the Minister of Energy (Mr. Welch)—that if there are any untoward events, reanalysis or occurrences then Hydro should warn the Minister of Energy and he, in turn, should inform the Legislature so that it is not an isolated event that gets one small press release on page 45 of some papers and not in other papers. There should be this degree of effort to make it available to the public as a whole.

As far as Hydro, the nuclear industry and its involvement are concerned, it is an open book from this point forward. I have no illusions about that. It is going to require vigilance to make certain that recommendation is lived up to, but I think that is a real achievement.

The committee's achievement was even more remarkable with regard to the AECB. Because Hydro had to provide documents to us, we got all of the correspondence between Hydro and AECB and, back and forth, we got all of the correspondence between Hydro and AECL, but we did not get relevant correspondence between AECL and AECB, the other side of the triangle, so to speak. Interestingly enough, after the committee had finished its hearings, one of the tag ends we looked at before we made our final report was a whole batch of documents provided by AECB that gave us the total picture. We looked at those in February after the interim report was made. Even in the instance of AECB, we opened it up significantly.

I do not want to be begrudging here. While there are some people who have continuing concerns—and with some degree of validity—about the closeness with which AECB on occasions operates, it is certainly making efforts to try to open up its process. They testified—and I have no reason to believe it is not 100 per cent correct—that they

had the major input in the legislation that has come before the House of Commons but unfortunately has never been passed in terms of opening up the process and providing statutory rights to public hearings and things of that nature. That has all gone by the board.

This committee provided a very major contribution to opening up the industry. I think in the long run that is at least going to dismiss the idea that there is a lot of information people want and cannot get, and therefore perhaps it will ease some of the tensions and some of the dialogue of the deaf that goes on between pro-nuclear and anti-nuclear people.

8:30 p.m.

The honourable member who has just taken his seat expressed opposition to the third recommendation made here that there should be set up a council in Ontario. Let me read it: "A council should be formed by the government of Ontario"—

**Mr. Nixon:** I did not quote that.

**Mr. MacDonald:** No, the member did not; he is right. His was with regard to opening up AECB and having some public representation on it. This recommendation is strictly within our own jurisdiction in Ontario.

"A council should be formed by the government of Ontario with given terms of reference and representation from within and outside the nuclear establishment to provide an institutional forum for public participation and a focus for concerns about radiation problems in Ontario, to build up Ontario-based technical knowledge and to oversee as much epidemiological work as is necessary to decide what the standards should be for the health and safety of people in Ontario."

The committee felt, by unanimous vote, that this was a desirable move to be made. We are all aware of concerns that arises from individuals or groups in Port Hope, Elliot Lake, Thunder Bay and various places in the province with regard to what they think is unexamined new information as to radiation hazards. There is no forum where you can really bring this forward and get it discussed with some announcement to the public so that the public's concerns can at least be addressed.

In this recommendation, we are suggesting that such a body should be set up. It would be an advisory body, a public forum, but at least it would provide a means for airing these concerns which continue to bob up so frequently.

The fourth area in connection with the AECB is one that has been touched on by

the member for Brant-Oxford-Norfolk (Mr. Nixon). The committee was really perplexed at the procedures of the AECB and the difference between a request and an order. Sometimes they would request Ontario Hydro to do something and Ontario Hydro would not do it. When we inquired, a request was tantamount to an order if it was not done.

There was one classic case where Ontario Hydro argued for two full years before they finally resolved it a few months ago. The Premier here has stated that the AECB is in control when they issue an order and an order will be abided by in the province by Ontario Hydro.

We requested that they should clean up this terminology, the difference of view between a request and an order. We acknowledged that sometimes AECB makes it a request because they want to get a dialogue to reclarify their views, but there is certainly no legitimacy that the dialogue should go on for two years.

As a matter of fact, one of the members of the committee put it rather neatly one day when we were hearing testimony from an AECB official and we heard the story about how long this dialogue had gone on. His comment was a query to the AECB: "Are you a pressure group or are you a regulatory authority? If you are a regulatory authority, make up your mind and issue an order, not a request, so that people know what you mean. Do not engage in 24 months of discussion, which make you look as though you are a pressure group."

Quite frankly—and this is purely a personal comment—I think another achievement of this committee is that it helped the AECB to mature and become a regulatory authority. The AECB was in a strange position. AECB in a sense is a stepchild of Ontario Hydro. Many of its personnel came from Ontario Hydro. Much of the experience on which it has based its regulations and the development of its pattern has come from Ontario Hydro. It is like a child who grew up. How do you challenge the parent?

That was the kind of relationship that went on. In our committee we smoked that out and said to AECB, "If you are the regulatory authority, you come to a conclusion and issue an order, and even if it is big Hydro, your father, so to speak, he will have to respond."

Because I do not want to take an undue amount of time here, let me focus quickly on the three areas in which there were disagreements.

The first one of significance is this whole question of whether Ontario Hydro plants

are acceptably safe. It is a real dilemma. Let me try briefly to present to the House why it is a dilemma, and I want to do it in the context of three paragraphs which are quoted from page five in the report.

The committee would like to be able to say, simply and directly, that Ontario's reactors are safe or Ontario's reactors are not safe. It would be desirable to be able to say to the public, "A catastrophic nuclear accident in an Ontario reactor is impossible." A direct, simple statement cannot be made.

It is not possible to say a nuclear reactor is absolutely safe. There are risks associated with nuclear power. It is not right to say that a catastrophic accident is impossible. There is always a chance that the worst can happen. In a situation where absolutes are misleading, the committee is forced to make relative judgements. If there is some chance of a catastrophic accident, that chance must be suitably small. If it is not possible to say that Ontario's reactors are absolutely safe, then if they are allowed to operate, they must be judged acceptably safe for continued operation. There must be a political and societal judgement that the risks from the nuclear reactors are worth its benefits: competitively priced Ontario-based energy from power generating stations that are relatively nonpolluting in normal operation.

Although this is a difficult judgement to make, society has always made judgements of this type. For example, motor vehicles are widely accepted in our society, despite the fact that in Ontario alone, about 2,000 people are killed and many more injured every year in accidents involving motor vehicles. Although few would deny that we should continue to try to make motor vehicles safer, they are accepted as they are today—they are acceptably safe.

The majority of the committee concurred with that conclusion that they are acceptably safe. The New Democratic members had certain reservations and they will speak to them tonight. I would like to try to put this issue by saying, "The problem is that they are acceptably safe or they are acceptably dangerous." It is the opposite side of the same coin.

Cars—many things we do in life today—are acceptably dangerous. Every time we go to the airport, assuming we can get on the airplane—an assumption that is getting a little riskier every day—if we stop to think about it, we will have to recognize the fact that we may not get to our destination. It happens all the time. We accept it; it is acceptably dangerous or acceptably safe, just as you



want to put it. That was one area of real concern where the committee was genuinely anguished. Quite frankly, in their anguish I think they reflected a fairly widespread anguish out there in society in general.

**Mr. Nixon:** What is the chance of an accident?

**Mr. MacDonald:** What is the chance of an accident? I am not going to get into that probabilistic numbers game. What is the chance of an engine falling off a DC-10 plane? One in a billion? One in five billion? One in a million? It will never happen, but it did happen. The problem is whether the one in a billion or one in a million is going to take place tomorrow or a million years from now?

**Mr. Worton:** I would prefer it a million years from now.

**Mr. MacDonald:** We all would prefer it a million years from now.

Let me address myself briefly to the issue of Rolphton. The whole plant in Rolphton down in the Chalk River area was a matter of major concern that we devoted almost an undue amount of time. It had become very high profile and it was having problems that were getting into a very vigilant Ottawa press all the time. The Rolphton plant is a toy. It is the original model on which the whole Candu system was started. It produces 22 megawatts of power, which is a drop in the bucket, so to speak; it would never be missed in the whole grid system if it were not there. But because of the fact that it was built at a time when the standards were not as high, and therefore it is not as safe, there is the doubt as to whether the retrofitting, so to speak, of the plant really makes it adequately safe.

It is interesting for the committee to note that we suggested in recommendation nine that there should be a thorough reanalysis of Rolphton so that those fears and the exact situation can be stated in up-to-date terms and made available in a final hazard report to allay some of the continuing concerns. I have no illusion that will necessarily allay them all, but there it is.

8:40 p.m.

The final recommendation about which there were some serious differences of opinion was that in the committee we were extremely aware of the public concern out there about the possibility of a catastrophic accident. Society has been conditioned to the potential of an accident in which the fuel would fall on to the floor and would melt down. We have all gone to see the China Syndrome

and we have a picture of what would happen if it melted down, presumably going right through to China.

Hydro would argue that they have defence in depth, that it cannot happen. In the United States there was a study headed by Rasmussen, which spent \$5 million, and they came up with a conclusion that has been challenged; there was nothing definitive about it.

Hydro's argument is that it is better to spend the money in perfecting the system to avoid that improbable catastrophic accident than to study the possibility of its emerging and what one would do should it emerge.

I must confess and once again this is a personal view, I think the arguments with regard to cost are purely specious and irrelevant. Even if it cost us \$5 million, the same as the Rasmussen report cost, if it allays concern out there to some degree, I think it would be a useful contribution to helping the public be more fully knowledgeable about nuclear power and therefore to be knowledgeable about their fears.

A sum of \$5 million in the Hydro budget, I suggest, is a drop in the bucket. Hydro closed the Keith plant in Windsor in 1976 because it was old and uneconomic. They spend \$37 million in rehabilitating it. They pushed the button and found it worked; now they have mothballed it because they really do not need it.

If you can spend \$37 million to rehabilitate your oldest plant, it is a legitimate expenditure to spend \$5 million to satisfy the public concern on this issue.

What the committee suggested was that—

**Mr. Nixon:** Rasmussen hasn't satisfied the public.

**Mr. MacDonald:** The member has had his chance to speak.

**Mr. Nixon:** You are really making a bad point.

**Mr. MacDonald:** The committee recommended that the Atomic Energy Control Board should make this study; but if they did not make it by July 1, 1980, then Ontario Hydro should be instructed by the government to make the study here in Ontario.

The Conservatives dissented from that. They think it is a federal responsibility and Ontario should not get involved.

Those are the kinds of differences. They are isolated differences. I sit down with a reaffirmation of my original comment: Do not let these areas of differences, which I think are important to focus on and to consider, put the appreciation of the report out of per-

spective. The overwhelming range of the recommendations in the work of the committee was unanimously and enthusiastically accepted and put forward to this House. I hope everybody will enthusiastically support adoption of the report.

**Mr. Cureatz:** Mr. Speaker, might I first say how pleased I am to have the opportunity to participate in this debate. The member for Renfrew North (Mr. Conway) left us to go on to bigger and better fields, looking at the constitution, which I know is a very worthwhile endeavour from the provincial level. But I am the provincial representative who at the moment has the Darlington generating station being constructed in his riding, and this committee has given me the opportunity of re-evaluating nuclear power. It is giving me the appreciation a member should have, in terms of a generating station of this nature being built in his locality.

The problem we all encounter in terms of the amounts of hours and days the committee has sat is that we come into the Legislature at eight o'clock and the member for Brant-Oxford-Norfolk takes up a few chunks of time and we are loaded with about two hours.

I am always amused when one meets with the Minister of Energy and he says: "What do you think, five minutes? Ten at the most?" Here we are debating the fate of nuclear safety.

However, in the few moments I have, one of the problems facing me is to decide whether to focus in on specifics of the recommendations or on some global problems, or global concerns, or global understandings that I have accumulated from sitting on the select committee on Ontario Hydro affairs.

I have decided to opt for the latter, to try to cover in a broader sense some of those aspects and appreciations that I encountered. I will leave some of the specifics to other members who will follow.

Probably the basic thing that first struck me was that Ontario is very fortunate to have the kind of nuclear generating program we have and, indeed, is fortunate to have a uranium supply in Ontario. When we listen to the goings-on from Alberta and the Premier of that province harping continually about the advantages of Alberta and its energy resources, we also should be very proud about the opportunity and the mineral wealth we have in uranium.

**Mr. Kerrio:** They are Tories. You did not say that, did you?

**Mr. Cureatz:** We are hearing again from the member for Niagara Falls, emphasizing

that he is an Ontario Liberal, for the second time today.

The problem I found, although being very supportive of the generation of electricity through nuclear energy, was that it is not the sole surviving factor of our energy needs in Ontario. On the other hand, neither is solar biomass or geothermal. But I see nuclear as a major component in our energy field.

When we look at the energy requirements for transportation and heating of homes and industry, we can see that nuclear power does not, and will not, play an overall role in the supply of energy in Ontario but, as of this particular point, it is going to play a rather significant role.

The interesting aspect that I found through the deliberations and the investigation of the safety of nuclear reactors was that Ontario Hydro is one of the largest utilities, if not the largest, dealing in nuclear power in North America. Sometimes this largeness gets a little worrisome because, with largeness, you often have the possibility of mistakes taking place. Yet, on the other hand, when you think of the largeness of Ontario Hydro, they, through their witnesses, indicated to me that they had the depth to provide the kinds of training necessary for the monitoring and building of nuclear generating stations.

I see the member for Victoria-Haliburton (Mr. Eakins), who is looking so pleased with himself after opening a fine plant in his riding which is providing more jobs all the time in that particular Wilberforce community. I am glad that he could come in and participate in my choice pearls in regard to nuclear generation.

The one concern I think it is worthwhile to mention is that the technology certainly is in a class with world leadership. I am hesitant to say that in light of the commercials we see periodically, such as "Well done, Canada," when advertising the Candu reactor. But we should look at it from a positive standpoint and think in terms of our Candu reactors being the best in the world. We should not be embarrassed about that. That is why I support the continued construction of the Darlington generating station; in my estimation, and from the witnesses who came before the committee, it was evident to me that we have the best system, and we should be using that in a positive nature.

**Mr. MacDonald:** Even if we do not need it?

**Mr. Cureatz:** That is for the next report. I am sure the chairman of the Hydro affairs



committee will have his kick at the can on that one.

I want to be specific about the efficiencies of the reactors we have, if you will be so kind, Mr. Speaker, to bear with me for a couple of paragraphs. The efficiency of the Candu reactor is unparalleled anywhere in the world. It is a showpiece of Canadian expertise. The lifetime performance rating of Ontario Hydro's reactors has been exceptional. In 1977, Hydro had three reactors in the top eight of the entire world's 500-megawatt plus reactors. By 1978, the utility had five reactors in the top eight and, as of last year, that record had improved to six reactors of the top seven.

Pickering 2's lifetime performance record has been among the best in the world for two of the past three years. During 1978 it slipped to second, behind a West German pressurized light-water reactor. Pickering 1, 3, and 4 ranked third, sixth and seventh respectively, and the ability of all Candu reactors to handle on-line fuelling while the reactor is still in operation is unquestionably the key to those astounding success rates.

8:50 p.m.

Pickering 2 has a lifetime performance record of 84.5 per cent. The gas-cooled boiling water and pressurized light-water reactors are not capable of on-line fuelling and their efficiency ratings suffer as a result. The safety of the Candu reactor is also extremely high. In over 60 reactor-years in Canada—I mention this to the member for Niagara Falls—no member of the public has ever been injured as a result of the operation of a nuclear electric plant. This is a safety record that is unparalleled in any other industry and one for which we should feel justifiably proud.

For this reason I feel very strongly about this committee's key statement that Ontario reactors are acceptably safe, which was stressed by the member for York South (Mr. MacDonald). Indeed, it goes without saying that every one of us takes risks each and every day. We will not get into, as was so fully discussed in the committee, the risks in getting up in the morning, driving your car, smoking, cancer risks and the like. Let me just say, in that overall comment, that I do not agree with those dissenting members that the phrase "acceptably safe" is confusing.

The other little matter I want to mention to the House is the comment in terms of investigating a catastrophic accident. Let me say that I could dwell, as we already dwelled last fall, on a specific resolution

that was presented in private members' hour in this House by the member for—where else?—Durham East. I want to point out that resolution was passed by the assembly after, I might add, much discussion from all sides. For those members who missed those comments, I want to re-emphasize my stand in regard to that resolution, which in essence is similar in some terms to that in the report.

Mr. Speaker, those are my few general comments in terms of the report and I thank you very much for the opportunity to participate in the debate.

Mr. J. Reed: Mr. Speaker, it is a privilege to be able to rise and speak on this report of the committee, of which I was a part. I am going to try not to overlap or duplicate what has been said up to this point. The report is large and very involved but there are a few interesting highlights.

I would like to comment first of all on the words of my friend and colleague the member for Brant-Oxford-Norfolk, who was seriously questioning whether the select committee on Ontario Hydro affairs would run forever. As one who sat on that committee from January 1976 to the spring of 1980, I want to assure you, Mr. Speaker, that I concur with his point of view, if only from the vantage point of fatigue. Whether or not there is more ground to cover, and there may be more valuable ground to cover by this select committee, I think we should always be cognizant that there comes a time when a select committee's effectiveness is diminished.

However, I should point out that the exercise we have gone through to examine the safety of nuclear reactors in Ontario has been a very valuable one. It has been valuable to the people of Ontario, it has been valuable for the legislators and I think history will show that it has been valuable for the nuclear industry in Ontario. We have learned some things that really were not generally believed or accepted before. I will try to touch on a very few of them. The idea that laymen could not understand nuclear technology sufficiently to make some kind of value judgement was one of the myths that I think the select committee put to bed. I must admit that we had some pretty good teachers. But I have to say, if the member for Halton-Burlington can learn to have some kind of a layman's working knowledge of nuclear reactors, I think almost anyone in Ontario can.

When the argument is put, as it is from time to time, that it is somehow not valuable

to have a layman sitting on a board or to have a layman's point of view to make some kind of judgement about the nuclear industry, I must say I have to come down on the side of lay participation. I do not think the nuclear industry, or any other industry for that matter, should be solely in the hands of engineers, especially when this industry has such a profound impact and such profound consequences for all the people of Ontario. Perhaps that is why I support lay participation in these areas. I think it has to come, it has to happen. It is simply the way the world is unfolding.

Another thing we learned that was kind of interesting was the viewpoint we have taken about the cost of nuclear-produced power. I realize that Hydro through its advertising campaign has been turning handsprings to tell the people of Ontario how much cheaper nuclear electric power is than fossil-produced power. The comparisons are built in about how much cheaper nuclear is, but some things have been left out of that scenario and continue to be left out. We have another source of electric power in Ontario that is much cheaper and much more reliable than nuclear power, which brings us to the conclusion that the costs are not all in. We are deluding ourselves if we feel that somehow the fuelling costs and the manpower costs of the nuclear plant are the only costs associated with electric power.

That is a very nice picture my colleague the member for Niagara Falls is holding up, a very important picture, one that should tell its own story.

I think we discovered in the select committee that we have not exhausted all the cost areas. The principal question is what is going to happen to the disposal technology for the highly toxic wastes. Therein lies a tale that has not yet unfolded, is yet untold. It may very well prove that nuclear-generated power is not quite as cheap as we are advertising it today, and its relationship to other kinds of generation may change quite significantly when the research work is done and when we decide if we have found an appropriate method for the final disposal of these toxic wastes. I think it would be naive of anyone, either the government, Ontario Hydro or us in the opposition, to suggest that we have found that answer, that we have come to the end of the road as far as the costs of nuclear power are concerned.

9 p.m.

We learned that we had trouble finding an appropriate statement about the nuclear reactors. Remember that this study was

limited to the engines of nuclear power, not the nuclear industry on a broad base. When we came and found those words that were so difficult for us all to find, those words "acceptably safe," it was something we had to do, first of all, in the context of the engine component of the nuclear industry and not the whole nuclear industry. We probably could have said, as has been pointed out by a previous speaker, "acceptably dangerous" or something else. It has been well pointed out that the word "safe" itself is inappropriate because it is an absolute. We all must recognize that any device created by man cannot carry that absolute. Anyone who judges something in black and white terms like that is simply being grossly naive.

When we made our recommendations, there were some concerns for various aspects as they related to the people who were concerned. I must say the timing of this exercise just happened to be historically appropriate. We had the Three Mile Island incident. We had a film, which I must admit I had no part of, that also happened to come upon the scene at that time. It aroused a good deal of concern with the public generally.

There were needs that became very acutely evident. There was the need to inform the public and to keep the public continuously informed. There was the need for some independent review, some ability to look at a situation as independently as possible. I know how difficult that is, because it was virtually impossible to take an independent or totally objective viewpoint on these subjects. If one was on one side of the issue, one was away out on one side. If one was on the other side of the issue, one tended to be away out on the other side. To try to strike some line down the centre of objectivity was very difficult indeed. We recognized that.

It became evident to us that the system was not perfect. Once we were able to learn some of the workings of the system in layman's terms, it was obvious the system was not perfect and needed to be improved. There was the final need, or the final one I felt was critically important, that if the machinery was acceptably safe so that the public could be reassured, that reassurance had to be built into the recommendations as well.

We accomplished one other thing that is worth noting. The chairman introduced it, and I would like to mention it again. It was the process of complete reversal of Ontario Hydro on the subject of disclosure. One will say, to give Hydro the benefit of the doubt, this was all going to evolve anyway. I would



like to think the activities of the committee and world events as they were precipitated a very painful decision on the part of Ontario Hydro. It was very difficult for them to really feel confident they could undertake disclosure on as complete a basis as they did without risking something.

I can remember the debates and the concerns that were being expressed by Ontario Hydro at that time. I also want to reiterate the words of the chairman when he said that a few months later Ontario Hydro came back to the committee and said: "We tried it and we like it. It worked." There was not the danger inherent in that disclosure that Ontario Hydro thought there was initially. The achievement of that reversal probably was pushed over the cliff, if you can imagine pushing a stone or something over the edge, by my leader, who was—

**Mr. Ashe:** You are dreaming.

**Mr. J. Reed:** If my friend remembers the sequence of events, he will remember the tale of Mr. Schultz and all of the intrigue that was involved there. Finally it turned out there was an operator who came to a member he happened to know. He did not know which party he was connected with, but he made contact with him and in the end some of these significant event reports were tabled with the select committee. It turned out that these significant event reports, while they are very important, certainly did not represent any great threat to Ontario Hydro. We know now that significant event reports must remain in the public domain. It is the only way there will ever be any objectivity come into the nuclear industry.

There is a very strong anti-nuclear movement on one side of this issue and a very strong pro-nuclear movement on the other side. I think the truth is that nuclear power is neither a pariah nor a saviour; it is neither one. It has its risks and we must understand what they are and decide whether we want to accept those risks. It also has its benefits and we must understand what the benefits are and decide whether the benefits are worth the risks. I think that is something we have tended to miss throughout a lot of this, although I must say I am very gratified that the select committee representing all parties came to an essential consensus and these valuable recommendations were able to reflect views that required a lot of give and take on the part of all the members of the committee.

I would remind these people who are far on one side of this issue and far on the other side of this issue of my little lightbulb

story. Last year, I think, was the 100th anniversary of the invention of the light bulb. Up until 1921 in the Walper Hotel in Kitchener—which is unfortunately long gone, that grand old lady of hotels in that area—a sign was hung in every room beside the light switch. I am not sure whether I can repeat it verbatim, but it said: "This room is lit with an Edison electric light. Do not try to light with a match. Electric light has been found not harmful to the health, nor will it disturb the sleep." That was in 1921, a full generation after the invention of the light bulb. I dare say, had the light bulb been invented in the 1960s, we might be having a select committee on the safety of the light bulb at this time.

Finally, I want to caution the government of Ontario and Ontario Hydro that nuclear power is not the be-all and end-all of energy in Ontario in any way, shape or form. As a matter of fact, at the present time other forms of energy are not being allowed to compete with nuclear-produced electric power, and I am prepared to debate that subject with the government anywhere at any time. I will say again: Other forms of energy are not being allowed to compete and therefore nuclear power, if it is going to have a continuing place, must be allowed to compete and take the consequences of that competition. We have a long way to go before that is opened up.

I will close by saying that my friend across the way said that Pickering 2 has been operating at an in-service efficiency of 94.5 per cent. I should remind him that any hydraulic plant in Ontario has been operating at an in-service efficiency of 99.5.

9:10 p.m.

**Ms. Gigantes:** Mr. Speaker, it is fascinating to note how the Liberal Party treats the people who come to it with information which they find useful. We have just listened to the member for Halton-Burlington (Mr. J. Reed) dismiss Bill Taves and the information he brought forward to the public, leaked by Bill Taves to the members of the Liberal Party. We have heard the member dismiss that information as an insignificant train of events by an operator who did not explain what reasons might have been behind it—

**Mr. J. Reed:** On a point of personal privilege, Mr. Speaker—

**Mr. Deputy Speaker:** Order.

**Mr. J. Reed:** On a point of personal privilege, Mr. Speaker: If the honourable member is suggesting that I am dismissing that event, I tried to explain it was the most significant event that occurred at the select

committee and that credit is due to Mr. Bill Taves and to the member to whom he brought that information.

**Ms. Gigantes:** Mr. Speaker, that was certainly not my understanding of the words of the member. I think a look at the transcript will convey a totally different impression from his revision.

I would like to pay tribute to Bill Taves and to the information he brought forward to the public of Ontario which led us into consideration of the safety of Ontario's nuclear reactors last year. It was important information. I think he brought it forward to the public with the deepest possible personal concern. He felt, as I felt, as many people in Ontario felt, that Ontario Hydro was dismissing the concerns of people in Ontario about the safety of Ontario's reactors following the Three Mile Island incident, and that Ontario's reactors needed a good, hard review in terms of their safety.

I followed what happened to Bill Taves with some regret. I am sorry he left the organization of Ontario Hydro. I hope that Ontario Hydro is filled with people with the courage and integrity of Bill Taves. He paid a high price for the actions he took.

As I sat last evening trying to collect my thoughts for this debate, I was forced to reflect again on how enlightening and how difficult it has been to have taken part in the work of writing this report. The subject of the safety of Ontario's nuclear reactors is something I wish I had never had to think about. I wish I could forget about it forever. The subject tested the intelligence and emotions of members of the committee, our staff and the witnesses, and exposed some very different attitudes towards basic social and political questions.

The clash of those differing attitudes was often bitter and angry, and it was the depth of that bitterness and anger that bears witness to the significance of the issue we are facing. What is an acceptable risk? Where technology exposes large populations to the involuntary assumption of risk, how unlikely does an accident have to be? Can we really know the probability of a sequence of mechanical and/or human failures that could produce a major accident? If we can estimate that probability accurately and if we can estimate the financial and human consequences, what trade-off do we require to make it worthwhile? How much should we rely on technical experts to provide the judgement? Can the current structures of government cope with these questions, or do

we have to seek the moral authority that comes from a referendum?

These were the kinds of questions that underlay the work of the committee, and the disagreements we had on many of the particular items we considered were symptoms of underlying conflict about the responsibility of government for a technology that raises such fundamental questions in a democratic society.

The use of nuclear technology for the commercial production of electricity is one of many processes which raises these fundamental questions. The production, transport, use and disposal of many other products calls up the same questions. Indeed, the very number of these products and technologies tempts us to throw up our hands in helpless resignation as we contemplate the difficulties posed by any one of them, but the prospect of a society that does not seek to assure the health and safety of its citizens is too awful to imagine; it goes against every element in our being as humans. It is inevitable that society must respond to our will to live in safety and good health. Safety and health are relative matters, and there is the rub; they are not only relative but difficult to measure, quantify and submit to probability theory.

One thing we know for sure, though, is that the citizens of this country believe in insurance, and any government that overlooks the Canadian preoccupation with ensuring against risk is a government that will not enjoy long life. As a people, Canadians do not like risk, and that is a trait that has been both our curse and our blessing or, as the experts would put it, our cost and our benefit. It has also made us survivors, in the words of one of our best poets. In any case, it may stand us in good stead in a world increasingly swamped by the risks associated with threatening technologies.

Canadians will not accept those risks without good cause, nor will they accept technological risks that could be mitigated by measures to protect health and safety. It is part of our heritage, of our very national character, to insist on as much social insurance as possible, so that our individual family and community life is protected from unnecessary risk.

What does this mean in terms of the select committee's work on the question of the safety of Ontario reactors? I believe, first of all, that it means the public of Ontario would consider the 24 recommendations of the committee to be obvious and essential steps which government must undertake immediately. In fact, it is both amazing and dis-



turbing that it required a select committee to review the regulation of nuclear safety in a comprehensive way.

I believe that to read through the list of recommendations we have made is to understand the unsystematic nature of current methods of regulating nuclear safety matters. The recommendations are of such a basic, common-sense nature, that it is not reassuring to think they have not already been implemented. They are the very minimum that the public has a right to expect by way of improvements to the safety assurance system for the operation of Ontario reactors.  
**9.20 p.m.**

Beyond the recommendations, the report is of great public interest, because the majority of the committee came to the conclusion, "on the basis of evidence examined so far," that Hydro's nuclear reactors are acceptably safe. It is an important conclusion, coming as it does from the only representative group ever to examine the question. It is one that three of us who sat on the committee cannot endorse.

The dissent that we attach to the report on this question outlines our feeling on the subject, but I think it is worth discussing the essence of our concern right here and now for the record of this debate. The fact is that the question—are Ontario Hydro's nuclear reactors acceptably safe?—is one that has a context, and that context is the Ontario hydroelectric system, which is dependent on nuclear reactors in terms of both supply and price. What that means is that although the committee learned of worrying failures to meet standards of availability of major safety systems, incidents of human error, equipment failures and design problems which have not yet been overcome at both the Pickering A and Bruce A reactors, to say at this time that the operation of these reactors is not acceptably safe is to say the Ontario hydroelectric system would lose 5,000 megawatts of capacity, that the reliability of electric supply in Ontario would be placed in jeopardy and that the price of electricity in Ontario would rise significantly.

Given this context for the question, the majority of the committee was unwilling to say that Ontario Hydro's reactors are not acceptably safe. That is fair enough if the report had provided a careful explanation of the supply and financial constraints that influenced the conclusion of acceptable safety. I, for one, would endorse a conclusion that we accept the operation of Pickering A and Bruce A for the reasons of our current supply and price dependence on those reactors and that we make very clear to the public of

Ontario that those are the reasons for our endorsement.

But I do not believe it is adequate to convey to the public the sense that we found the current operations of those reactors to be acceptably safe in that they now meet desirable standards of safety or that we found the current system of safety regulations by Ontario Hydro and the AECB meets desirable standards because that is not the truth. Anyone who reads the report and reviews the recommendations for basic and essential modification in the mechanisms for improving the safety of reactor operation can see we did not think it was the truth.

The report of the committee fails to make this point, and its failure of clarity, in turn, creates the potential for misinterpretation of the committee's findings, a potential, I should point out, which has already been met by events. Spokespeople for the nuclear industry have repeatedly referred to the findings of the select committee as if our work were a sort of stamp of approval for existing reactors, their operation and the nuclear safety regulatory system. Our recommendations make it very clear. Our work led us to outline 24 essential changes to improve reactor safety, hardly a stamp of approval for the current system.

In addition to lending itself to misinterpretation on current safety of current reactors, the bland phrase "acceptably safe" can and will be used to defend the building of more Ontario reactors. The phrase "acceptably safe," born in the ambiguity of our current dependence on the nuclear generation of electricity, will become an argument for increasing our dependence on nuclear reactors, making it even more difficult in the future for us to distinguish whether our reactors are acceptably safe because they operate within a safety regulation system that meets desirable standards or whether we call them acceptably safe simply because we have to accept them. We depend on them so totally.

I think it is when we look at the committee consideration of what should happen in the operations of two particular reactors, the nuclear power demonstrator reactor at Rolphton and the Douglas Point reactor at the Bruce site, that we see the grossest inadequacies in the final recommendations of the select committee concerning reactor safety.

Both those reactors were prototype reactors. They produce small amounts of power. They are not an important component of the electric grid and the supply of electricity to Ontario. Both of them have design

problems, do not meet current safety standards and have had operational problems. There is no good reason why we should be operating either of those reactors—certainly not good enough reasons to justify their operation, given the problems we identified as we reviewed them. Just in the last few weeks Ontario Hydro discovered, as it tested containment at Douglas Point for the first time, that containment was not intact at Douglas Point, and they have apparently been doing patchwork to containment at Douglas Point.

Why should we be operating reactors which we don't need in terms of electric supply, or in terms of helping us to keep down the cost of electricity in this province when we know these reactors do not meet standards that we could, in any way, call acceptable standards? They don't have desirable operations and they should not be operating.

It was a matter of some disappointment to me, as a member of the committee, that the committee as a whole did not come to a tough conclusion about the need to close down reactors which, by current standards, are inadequate and unacceptable in safety terms. I am also disappointed that the phrase "acceptably safe" has been used in such a loose way in the report that the problems associated with that phrase will continue to haunt us.

I would have wished that the report of the committee had defined very carefully the context in which we considered what was acceptable for safety in the operation of Ontario reactors, had discussed in honest and direct terms our dependence financially in terms of supply on the Pickering A and Bruce A reactors, and had defined those questions in a way that would be more helpful to the Ontario public in its understanding of what our work and what our review has caused us to conclude.

Mr. Speaker, I have been pleased to be able to participate in this debate. Indeed it was a major challenge to take a role in the work of the committee throughout 1979.

**The Acting Speaker: (Mr. MacBeth):** The member for Durham West.

**Mr. Conway:** Let the record show that some applauded.

**Mr. MacDonald:** That is only three of five, only 60 per cent of your own group.

**Mr. Ashe:** That's the way it goes. It is like the term "acceptably safe." Some people feel it should be absolute, some people realize the reality of the situation. In any

event, I don't want to be provocative on such an important topic tonight. Whenever I get on my feet, I never attempt to be provocative, so I will keep strictly to the subject.

I think it is very important to recognize the activities of the committee when you consider this particular topic stretched over roughly a full calendar year in deliberations—not continuous, although I am sure some would have had it continuous, but it did stretch over a long period of time. The committee had the advantage of hearing some 100 witnesses with very diverse, to put it mildly, opinions on the subject, for, against and in the middle, including those of some of the members opposite. I think it was very enlightening.

I would state this frankly and off the top of my head rather than from any great amount of investigation, but I would suggest there has probably never been a committee of this Legislature that has ended up accumulating such a mound of testimony, such a mound of exhibits—several tons of them—as the select committee did on this particular topic of nuclear safety. I look at that really with pros and cons. When you look at it in terms of the paper, the paper industry in Ontario was obviously well served.

I am not quite sure that overall the consumers of Ontario Hydro were exceedingly well served when you consider the time and expense there was in getting these documents before the committee in such numbers, but again, you have to weigh some of these pros and cons and I suppose they did balance out.

9:30 p.m.

There is no doubt an abundance of material was made available, I think importantly, and I subscribe and agree with those who have already recognized that this was not only for the benefit of the select committee, but there is no doubt it opened a door that was probably not open before. It did lead Hydro to make all this material public. I also think, probably equally importantly, all of this information is on the public record now and continues to be available to the public, not only in the library at Ontario Hydro but in the library within this particular building.

Although I was not one who thought some of this material should become public, in hindsight at least to date, I don't see any great negatives that have come out of it, other than the cost and expense involved. I would hope, being a very optimistic per-



son, that there will be nothing but good that will come out of making all this material public and maintaining and updating it as public information over the months and years ahead.

When we look at a committee report of 24 recommendations, I think we all came to the conclusion as to what was the highlight and the main issue the committee dealt with in its deliberations. There is no doubt at all in coming to a conclusions after approximately a year, several tons of exhibits and 100 or so witnesses, that the Ontario Hydro nuclear program in Ontario operated its plants in an acceptably safe way.

The great debate, in my view, is really on that issue. There were some, including myself, we felt "acceptably safe" really wasn't strong enough. There were others on the other side who felt "acceptably safe" was far too strong. I guess it was on that basis the committee in its wisdom, and I suppose one could say in its compromise, agreed with the term "acceptably safe." If one looks at the realities of anything—and I think the member for Halton-Burlington covered that issue to an adequate degree, so I won't dwell on it—nothing is completely pure, as some would have us try to suggest.

**Mr. Kerrio:** Just two of us.

**Mr. Ashe:** That's right. You and I. Some witnesses did come before the committee and, in effect, were trying to dig out of the committee, the experts and the nuclear industry a statement that would say, "This industry is absolutely safe and this industry will never have an accident."

Of course, the purists would try to get to that, knowing full well that anybody who was at all realistic, at all rational and at all honest in what he or she was attempting to put forward could not subscribe to that particular conclusion. Nothing is absolutely safe in this life, right from getting up in the morning and including all the things we do each and every day. I think a very important conclusion we did reach was that nuclear operations were acceptably safe.

As others have done, I would like to quote a brief sentence from the select committee's report that helped us reach this conclusion. "To reach the conclusion, the committee had to satisfy itself in four areas: the effects of radiation, the safety analysis and research carried out by the industry, the basic design and the lessons learned from examining the incidents at the station that are recorded in abnormal or significant event reports."

We all have our views as to which of those four were important or more important or less important. They were in my view all important. I guess the main issue that was dwelt upon more than any other in the testimony and in the deliberations of the committee was the varying degrees of acceptance of what we could accept in terms of radiation.

In this regard, I think the committee looked at the varying views of the experts on that issue. We came to the conclusion that the majority of experts believe the risk to human health decreased substantially at low levels; that there is not any significant difference between background levels of radiation throughout the world, and that the human body can adjust because of those variations just in the normality of our every day living.

There is a second view which was considered as the conservative view, which is an excellent word in itself, and which is accepted by most bodies responsible for setting exposure standards, and that is the linear, no-threshold hypothesis view. This was the one that said, "Yes, you should always be aware of it since it does have some effect. Whether it is here or whether it is down to zero, there is some effect." I know personally, and I guess the majority of the committee were satisfied, that the regulatory body and Ontario Hydro, in implementing those regulations, were being conservative when looking at that particular issue.

There was, of course, a third view expressed, which is held by a very small number of researchers, and that is that the linear, no-threshold hypothesis is not relevant and that there is greater risk at the lower end. I think the committee, and quite correctly in my view, came to the right conclusion on that issue. Again, it is not sure. We really will not know for sure for 30, 40 or beyond 50 years, but if we look at the realities of the marketplace and the realities of the risks we live with every day, the conclusion we reached was the correct one. I think we also agreed and concluded that there was really no absolute proof to suggest that whether you could identify 19.999 per cent of cancer deaths in the world, or 20.0001 per cent of deaths in the world, which is about the normal, there was any distinguishable difference because of radiation because of the nuclear generation program.

Recognizing that is the main issue I would like for a few moments, before putting on the record some of the performances within this field to recognize some of the concerns that I have, and I suppose I could say the govern-

ment has, on some of the 24 recommendations that the committee brought forth. I do not think they are generally overly serious. I know personally they do not deter me from supporting the report in terms of totality. I have some reservations, but in total I think it was a good report and comes out with a good conclusion.

What are some of the issues that I have a few concerns about? Recommendation three suggests "a council should be formed by the government of Ontario," et cetera. I will not read it for the sake of time. I think my main concern is the fact that it is creating another body. I think there is general agreement, regardless of one's political views or leanings that we are governed and bodied to death. I am not really quite sure that a new body is needed and will serve a useful purpose. We now have a federal responsibility through the Atomic Energy Control Board in this area and all in all, although there is no doubt there are diverse opinions on this, it has fulfilled and delivered on its mandate in that regard.

Ontario already has considerable input to the standards through the media of Ontario Hydro and government ministries—for example, Labour, Environment, Consumer and Commercial Relations regarding boilers, and so on. We already have considerable input without a new committee being set up. I think it is also safe to say that Ontario's problem is not unique within the industry, although there is no doubt at this time that the Ontario industry is for all practical purposes the total industry in Canada. I do not think that will be the case forever as other jurisdictions also recognize the realities of the marketplace and the benefits from nuclear power.

There is no doubt that we do support that the AECB should be seeking and regularly having words with John Q. Public, hearing his views and, of course, changing any radiation standards that seem necessary at the time.

Recommendation number four, of course, is a followup of that same one: "The first task of the council should be to take on and give high priority to the independent review of the adequacy of current proposed release limits for carbon 14 and tritium."

9:40 p.m.

We have to recognize that Ontario Hydro, first of all, is recognized as a world leader in looking at this issue. As a matter of fact, it was not by the prompting of the Atomic Energy Control Board but of its own volition that Ontario Hydro addressed the carbon 14

problem. From the expertise they have already developed they are recognized as a world leader in that area. It is not something that has come after the fact; it is something that has come before the fact. Ontario Hydro is well ahead of the committee's recommendation in that regard.

In terms of tritium in itself, as we all know, it has a relatively short half-life and this again has been dealt with by Ontario Hydro. For example, recent announcements were made by Ontario Hydro in that regard relating to the treatment, if you will, of the possible future tritium problem at Pickering before it even develops. Again, Ontario Hydro has taken the leadership it very rightly should in that particular issue.

The main concern I have personally—I share it with most of my colleagues—relates to recommendation number 10, about which I really have an awful lot of concern. That is the one that said the AECB should commission a study to analyse the likelihood and consequences of a catastrophic accident in a Candu reactor. The study should be directed by recognized experts outside the industry and it should be funded by a special grant from the government. If they don't do it by July past, the Ontario government should do it.

Frankly, I do not think I can come up with any better words than those expressing the dissent of myself and most of my colleagues in that regard. I would like to read into the record the six relatively short paragraphs:

"In our view, based on the extensive, knowledgeable testimony heard by the committee, the undertaking of a substantive and expensive study would probably serve little purpose but to identify the fact that a catastrophic type of accident is possible but highly improbable. The results would, as in the Rasmussen study undertaken in the United States, be widely debated and challenged and would in the end serve little practical purpose except to confirm the consensus of this committee that the reactors are 'acceptably safe.'

"In any event it is our feeling that further studies deemed necessary by the regulatory authority should be commissioned by that authority. It would in our view be wrong to suggest that the Ontario government should assume responsibility for a study which is clearly within the proper jurisdiction of the federal government and/or its agency.

"During the course of the committee's hearings, the president of the Atomic Energy Control Board indicated that the board had



recognized the need to study further the possible consequences of severe reactor malfunctions and had already taken steps to evaluate same through studies at Carleton University.

"We also heard testimony from AECB, AECL, Ontario Hydro staff and others that to undertake an even more comprehensive study similar to the Rasmussen study in the United States would likely take a number of years to complete and would represent a very major research undertaking.

"In conclusion we do not believe it to be reasonable, or perhaps even practical, to have other than the responsible federal regulatory agency undertake such a study and to assume, thereby, the apparent responsibility for taking any subsequent action on the basis of the results of the study.

"The laws of the government of Canada provide that the AECB be the sole regulatory agency with respect to nuclear reactor safety in Canada."

I think that that particular dissent was reasonable and responsible, recognized the realities of the issue and the realities of the responsibilities.

The last item about which I have a bit of concern relates to recommendation number 19, that "The AECB should broaden its membership to include representation from the general public as well as the informed technical community." My only concern about that one really is that if that recommendation is implemented by the federal authorities, and it is in their jurisdiction, of course, they do not go overboard.

I think it is fine if the members of the committee can end up saying, "We are now all experts in the nuclear field." But if we look deep down into ourselves, we realize we have just scratched the surface. We may delude ourselves into feeling that we know a fair bit about it, but technically we really don't. I have some concerns about putting into the hands of nonexperts, some of the decisions and some of the guidelines and some of the authority that is now being enacted by the AECB. If they do take this recommendation to heart, and again I want to re-emphasize the fact that it would be their decision and not ours, they should be very careful to not have any imbalance in the expertise that should very rightly be on the board, for my benefit as well as for each and everyone of us.

Those are the four issues out of the 24 with which we have some or varying concerns. All in all, I think the recommendations were reasonable and were adequate.

I will go back for a moment to what I feel is the most important issue covered by the committee, which was coming to the conclusion that the nuclear industry and particularly the nuclear power industry in Ontario as operated by Ontario Hydro was, is and will be acceptably safe. I think that was a very reasonable and responsible conclusion for anybody to reach who looked at the facts and who looked at the record that is there. Let me just quote a little bit of that record on worker safety. I think everybody in this House from time to time is concerned about the worker at his work place. Let us look at some of the highlights:

(From 1962 to 1979 in nuclear operations, employees have worked 54.7 million man-hours. There has never been a fatality of a nuclear operations employee at work for any reason. There has been a very low frequency of temporary disabling injuries. Specifically, the frequency has been 2.8 injuries per one million man-hours for the decade between 1970 and 1979 inclusive. No employees have ever been injured due to radiation. There has never been a serious radiation exposure.

The highest whole-body exposure which exceeded the regulatory limit of five rem per annum was an exposure of 7.3 rem. Overexposures to employees are very infrequent, corresponding to 0.29 overexposures per million man-hours work. Nuclear employees have been much safer at work than when not at work. There are statistics to back that up which are outstanding to say the least.

Fatalities per hundred million man-hours for nuclear workers off the job are 8.2, and on the job, zero. Worker safety at nuclear plants has been better than at hydro and at fossil plants, although the safety at all three types has been good. The worker has been safe. What about the public? In that regard, needless to say, we are all concerned. Again, let me cover some of the highlights.

During 72 reactor years of operation in Canada, there has never been a fatality nor has there been an injury of any kind for any reason to a member of the public. There has never been a release of radioactivity from any nuclear generating station which resulted in a measureable dose to any member of the public. The radioactivity risk criteria have been fully met at every station for every year. It is a record which is second to none in the marketplace.

When we look at a program, we look at worker safety, safety to the public, and system reliability. Has it got a good cost-benefit return? Is it reliable? Again, let me cover the highlights.

The lifetime performance of the Candu pressurized heavy water unit has exceeded any other type of nuclear electric station in the world. The Candu gross capacity factor, compared with other 500-megawatt units or larger on a lifetime basis is: Candu, 77 per cent; pressurized water reactors, 57 per cent; boiler water reactor, 55 per cent, and gas-cooled reactors, 45 per cent. The record speaks for itself.

9:50 p.m.

A number of years ago, Ontario Hydro and the Ontario government made a very wise decision as to the electrical future of this province. I am convinced that the deliberations of the select committee vis-à-vis the safety of the Ontario Hydro operations have proved again and again that this was a wise and rational decision that was made. Not only today, but the people of Ontario tomorrow and 10 years and 20 years from now I am sure will benefit by that wise decision.

The committee's deliberations were long, the debate was sometimes a little rowdy, the chairman from time to time was called upon to bring it back to order, and rationality came through in the end. The conclusions were the correct ones, and I think the committee fulfilled the mandate that was given to it by this Legislature.

**Mr. Conway:** Mr. Speaker, I do appreciate the opportunity to join my colleagues in this debate tonight. I recognize that my effervescent friend from Niagara Falls also has words and views to express tonight, as well as my friend from York South and others. I want to leave some time, as I always want to do, to people senior to me. So I shall try to restrict my remarks, with your permission, Mr. Speaker, to some of the specifics of the report before us tonight.

I want to say at the outset my involvement with this committee has been a particularly enjoyable and memorable one. I had the pleasure of joining the select committee on Hydro affairs in July 1979, some three years after it was struck, and I left that committee this past spring, having served on the two references—the nuclear reactor safety matter and on the nuclear waste management reference that was dealt with in the winter and spring of this year.

In that connection my involvement was spurred on by the concerns and difficulties that were reported as a result of the nuclear power demonstration plant at Rolphton which is located within my constituency. The great electoral district of Renfrew North does contain within its boundaries the atomic energy

facilities known as the Chalk River nuclear laboratory and, without any doubt, I have, as a member of the assembly for that part of the province, a very considerable interest in and concern about the current and future condition of our atomic industry.

I do have some very fond memories about our committee's work in my time—such as the six hours of steamy discussion that day, July 12, 1979, at Mackenzie High School in Deep River. As I recall, I suggested the meeting take place, and with all candour I might say now on reflection that in the middle of the heat of the day on that occasion I wondered whether it was a wise course of action for me to have recommended.

I remember my friend from Durham East and I in the wilds of Atikokan in the winter of 1980, and this really gave me a new perspective on how and where it is members of the assembly travel on the so-called junket circuit. I felt that our business in Atikokan was an important part of our public responsibility.

I think the member for Durham West pointed out in his remarks that there were some interesting times. It was a joy to go in in the morning and to punch in, as it were, and day after day to be privileged to see the warm and conciliatory approaches of my friends from Durham West and Carleton East, to enjoy the easy-going charm of our friend from Oriole (Mr. Williams) who is not here tonight. Of course, the balanced, moderate and considered opinions of my Liberal colleagues certainly was an important fulcrum on which much of the debate turned. I wouldn't want to measure the number of cigars our friend the member for Fort William (Mr. Hennessy) supplied to keep us all moderated in some other manner.

**Mr. Nixon:** And we thought radiation was bad.

**Mr. Conway:** We sat an awful lot of time in that committee concerned about environmental hazards, but the blue-green-brown haze that was forever emanating from, on the one side, Carleton East and on the other side Fort William, made one wonder where the environmental hazards in this province really originated.

**Mr. MacDonald:** Thank you very much.

**Mr. Conway:** The pipe of the chairman is no part of my concern in that connection.

I believe the exercise this particular select committee undertook was an extremely important and valuable one, not only for the public of this province, as others have mentioned, but perhaps more than anything else



for the membership of this assembly. I have said repeatedly that one of my very great concerns as an elected official is my ongoing worry about how it is our mandate proliferates, becomes more and more complex, and how at the same time there seems to be an inverse relationship between that particular development in growth and our inability to come to terms with these complexities for which we are elected and for which we are accountable.

I look around the assembly tonight and as we discuss what I believe to be an extremely important matter of provincial policy, what do I see? I see not many more members than those who have had a particular interest in this report. That concerns me because I would like to believe this is the sort of issue that would bring a wider selection of members to the debate. As I say, it is something about which we must all have a concern. I am delighted to have the Minister of Transportation and Communications (Mr. Snow) here in full participation tonight. I only wish others from the cabinet were here and I quite frankly wish other parties, and my own for that matter, were more fully represented.

**Mr. Nixon:** You can see how worried the minister is about the matter.

**Mr. Conway:** I have said this before, as my friend from York South might remember: The whole Hydro affair has been a troublesome one because it has not been the history of this jurisdiction that the Legislature has ever been able to exercise very meaningful control over that very important public utility. I don't feel I have been mugged by the mandarins from the utility, although my good friend the deputy minister has from time to time engaged my Ottawa Valley fury, perhaps too much of it for my own good, but we would do well as members of the assembly to try as best we can to exercise the responsibilities we have. Certainly this undertaking, however imperfect, however modest it may have been, I believe was a very important step in a very right direction.

With respect to the main conclusion, I have no difficulty, notwithstanding my conflict of interest, and I don't dispute it for a moment because, as I said earlier, I do represent a constituency in which the atomic interest is a very significant one. In that sense I suppose I could not be considered neutral, any more so than my friends from Durham West or Durham East, and I mean that in a most benign sense, but I have a particular interest.

One of my reactors—by that I mean the NDP reactors—was a matter of great concern

in this debate. I think I came to it with an open mind, as open as is possible, and I have no difficulty on the basis of the evidence I heard in affirming the main conclusion of this report which is, as others have indicated, that the Ontario nuclear power reactors are operating in this particular jurisdiction at this particular time acceptably safely.

In so far as other recommendations are concerned, I want to highlight a couple. I certainly believe very strongly, and I know my good friend from eastern Ontario and Carleton East would agree, the doors of the industry have been opened and I think very profitably, and not only for those of us who are supposedly mandated to exercise the responsibility and don't ever want to be put in the position of our friend the former minister from Prince Edward-Lennox of finding no ability to manage that which is his or our responsibility. Certainly I believe the public access that is spoken of in our first recommendation is and has been an important and positive step.

**10 p.m.**

I want to say as well that the radiation council spoken of in recommendation number three is something that appeals to me very keenly as, among other things, health critic for the official opposition. I do believe that recommendation is an important one and should be fulfilled.

I listened with great interest, as I always do, to the putative Minister of Energy, my friend from Durham West, when he recited at great length the achievements, the splendour, of his government's industry, the great utility. A lot of the evidence supports a substantial amount of what he says, but it is not as sweeping surely as he would have us believe.

I am not like my friend from Brant. I don't have that sort of chemistry background. I have a very poor mechanical understanding. I have avoided that pursuit with good reason, as those members who know me can appreciate. I will leave it to my friend from Brant and to my friend from Carleton East and others who understand the technical complexities far better than I do to arbitrate some of those very special, almost unintelligible to me at least, areas.

However, one area where I felt deeply concerned, where I was not assured by much of the evidence and indeed some of the record, was the area of human weaknesses. I certainly would draw to members' attention—those who have not perhaps participated in the select committee activities or, God forbid, have not read the report—that section at

pages 27 and 28 in which the weaknesses in human processes are dealt with. That whole business, and certainly the testimony of people such as Professors Senders and Foley weighed very heavily and meaningfully upon me.

I got a very distinct impression—I cite page 27: “Clearly the human backup to the physical equipment is vital to the continuing safe operation of nuclear plants. It is in this area that the committee found evidence that Hydro needs to strengthen and improve.” The report goes on to talk about the pressure on plant operators to get or keep a unit going that leads operators to take improper action. It goes on, furthermore, to indicate that there seems to have been or is likely to be a breakdown in the human processes.

Hydro has not followed up on some of the matters that have been brought to its attention and we have recommended in recommendation number seven some ways and means of improving upon that. I certainly support that very strongly because I believe, on the basis of what I heard there, we can improve. That is an area I think the public would want us to improve as quickly as possible.

My friend from York South mentioned, I think in his opening remarks, that “toy” at NPD. I don’t think NPD is a toy. I never have. It is a power demonstration reactor to be sure, one which I think is properly recommended for review in recommendation number nine. It is an old plant; nobody denies that. It is a power demonstration prototype. It needs to be closely monitored. I want to see an up-to-date engineering review which will be made available to the public so that we know precisely what we have there. But I have no difficulty whatsoever, on the basis of the evidence I heard, in continuing the mandate of NPD on a number of grounds, most of them well known to members of the committee.

Certainly with respect to the membership of the Atomic Energy Control Board, I feel again that recommendation number 19 is a proper course of action. Somehow I want to see the regulator in a position—and I know the member from Brant will want to sit carefully on this—I want to see that membership either broadened or at least so structured as to have the benefit of a small group of people who are not necessarily technical experts but who might be able to exercise a more broadly based social judgement. I have seen difficulties in my part of the province which owed much less to the way in which the regulator made a technical judgement and owed much more

to the poor manner in which it was able to deal with the public. I think the regulator has a responsibility.

I do not hold out a great deal of hope that a completely homogeneous group of specialists from an engineering field or any other specialized field in the atomic community will be very easily able to deal with those farmers from Horton township in Renfrew county or anywhere else who do not have a clue about all the specialized technical niceties, but who are just anxious to be assured of some very basic things and might not be easily assured of that by people whom they see to be very directly related to the industry.

We are not going to solve the problems completely. I do not believe we have realistic expectations we can eliminate that completely, but I certainly think we can improve upon it. It is clearly an unfortunate reality that the regulator is not and has not been seen by the public as a neutral arbiter. There are those in this province who see it rightly or wrongly—and there is some evidence to indicate it is not all wrongly—as too close to the industry. I think we have to ensure that the regulator in this critical area is, like Caesar’s wife, above suspicion and not only that. I need perhaps say no more than that, but I want the regulator to be above any suspicion in so far as who is running what is concerned.

In conclusion, I have only one comment to add. I stand here tonight, having left the particular committee of which I was at one time a member, in the position of having changed very little in my view about the important and positive role that atomic or nuclear power has to play in the energy future of this province.

I feel it is an area of high technology that can give this country and this province a considerable amount of energy self-sufficiency. I see it as an extremely important area, as I said earlier, a technological advance for the people of this province in an area in which we can specialize. I think we must, in terms of our national government, improve substantially our record in so far as our international export picture is concerned, because we in Ontario cannot expect to have the kind of diversified atomic industry on our provincial or national market alone.

I believe this assembly has an important role, notwithstanding my strong feeling of support for the atomic industry, but I feel this assembly must be vigilant and must not ever accord uncritical support to an area of this degree of significance to the people of Ontario.



I do want to say I think there is no reasonable person who can disagree with the principal recommendation on the basis of the evidence heard. I want to affirm once again, because I believe it on the basis of what I heard over many months from quite a range of people, that the atomic reactors of this province, including the nuclear power demonstration plant at Rolphoton, are operating at an acceptably safe level.

**Mr. Foulds:** Mr. Speaker, I first want to apologize to the member for Brant-Oxford-Norfolk for the interjection very early in the debate this evening. I was sorry to see the member decided to leave the committee because although he and I seldom agreed on matters of substance, I certainly had to admire his style. The committee lost, I must say, some of its zip and some of its liveliness when he decided not to continue as a member of committee.

I would like to remind my friend the member for Rolphoton with regard to Caesar's wife that Wayne and Shuster coined that memorable line, "Don't go, big Julie, don't go." So if he wants to say that to the nuclear industry, I am in full accord.

10:10 p.m.

**Mr. Conway:** The member for Halton-Burlington, let the record show, is blushing profusely.

**Mr. Foulds:** Is he? That would not be a first. He should blush for the position he tried to put before the House on this debate this evening. If ever I have seen a member abandon the environmentalists over an issue, it was that member on this one before this committee during the course of its sittings.

One of the things which disturbs me about all of those who support so strongly and so wholeheartedly the nuclear industry is the retroactivity of their arguments, the way in which they are now scrambling to find arguments to justify the decision which Brampton Billy took in 1972-73 to forge ahead with nuclear power before he had the evidence before him about whether it was acceptably safe or not and before the scientists had demonstrated, as they have not to this day, where you put or what you do with nuclear wastes.

I will make my remarks about nuclear wastes in next week's debate, Mr. Speaker, and confine myself to the comments with regard to reactor safety I believe the phrase coined and used in the select committee report about the reactors being acceptably safe is a dangerous, a misleading and a mischievous coining of words. It has been used

as the dissent of the members of the interim report said it would be used.

Just the other day in Thunder Bay, on the radio, an Ontario Hydro spokesman was saying, first, that the committee had unanimously said the reactors were acceptably safe—that itself was a false statement—and second, that there was every reason in the world, therefore, to conclude that Ontario and Ontario Hydro should proceed to the production of 60 per cent of its capacity from nuclear energy. I believe that would be a mistake and I believe it is a mischievous and a misleading way to use the committee's report.

I think I would have accepted the report more wholeheartedly if we had used the phrase "acceptably dangerous." All we can say about reactor safety is that so far we have not had a major accident. That is all we can say—so far so good, thank goodness. We cannot, as the member for Durham West did, translate that conclusion, which was very narrow about reactor safety, to the whole nuclear cycle. That is what Ontario Hydro, the Ontario government and the nuclear industry are doing in a mischievous, misleading and, I believe, dangerous way.

I believe it is unwise for this province to become any more dependent on nuclear power than it already has because we have too many unanswered questions.

**Mr. Bradley:** Is the member for or against nuclear power?

**Mr. Foulds:** Am I for or against? What is the honourable member's party's position, does he know?

I think it would have been utter folly and an abdication of the committee's responsibility if it had not made recommendations such as recommendation 10, which I think is key and important, and had not made recommendations to the federal agency. The federal agency that regulates nuclear power has to regulate the nuclear waste and the nuclear power. That is run at the present time only in Ontario.

**Hon. Mr. Welch:** Mr. Speaker, may I be permitted just one or two observations during this discussion? As the Minister of Energy, I want to thank what I suppose we could call the MacDonald committee, the select committee on Ontario Hydro affairs, for this very valuable service which it has performed for the people of Ontario. I say that because I think it should be underlined that the work of this committee can be labelled as pioneer work from the stand-

point of an overall public legislative review of a very important matter of obvious public concern. I want to thank the committee for its work and for accepting this particular responsibility.

It is obvious that during the course of its hearings the committee has become aware, as members during the course of this discussion have shared with us tonight, of the frequent and, in some cases, almost the multifaceted contacts that are obviously the hallmark of the methods by which Hydro and the AECB review all of the aspects of the safety of the Candu system as it is operated within our province. Obvious appreciation of these intricate relationships during the course of the hearings was a difficult and time-consuming responsibility which, to the great credit—and I underline the great credit—of the committee members themselves has been pursued with a great sense of public responsibility.

In doing this, the members of this committee have provided a great service in bringing to the attention of the public the multifaceted review program in a more understandable way, as indicated by my friend from Halton-Burlington, by having the opportunity to articulate and provide in language that could be understood by the people of Ontario, where obviously the accountability is, the evidence from which they could have some assurance and some comfort with respect to matters relative to health and safety. The committee and its report should be seen as a very significant and a very desirable contribution to such public dialogue.

May I point out that the select committee's finding that our reactors are acceptably safe has been a valuable contribution to the advancement of our nuclear program, the expansion of which is obviously receiving widespread support in the province. As members of the House will recall, it was just in August that a group of 21 scientists, representing universities from across the province, presented a position paper to the provincial government entitled "A Low Risk Energy Future for Ontario." This paper represented months of study and recommended that the Ontario government pursue a policy of strong growth of the provincial electrical system with particular emphasis, as members will recall, on nuclear generation.

**Mr. Foulds:** You are blushing as much as the member for Halton-Burlington.

**Ms. Gigantes:** Have you read Goldfarb? You paid Goldfarb for nothing.

**Hon. Mr. Welch:** May I go on to quote from the position paper during the few minutes that are allowed to me to proceed, I hope in an uninterrupted way, as I continue to pay tribute to the committee. I am not quoting from the report, in case I didn't mention that.

"With the success of the nuclear power program, Ontario has the opportunity to produce electrical energy in an environmentally acceptable and economic manner and to do so through an almost fully indigenous industry." Furthermore, it stated that the development of such a strong and dependable electrical system with supplies assured far into the future will be a strong attraction to industry to locate in Ontario with both short term and continuing benefits, including the development and the introduction of new technologies.

Was it not Dr. Arthur Porter very recently in his submission to the House of Commons special committee on alternative energy and oil substitution—just last month, I think—who stated unequivocally: "It is incumbent upon me to stress that the more I examine the nuclear power option and its role in the generation of electricity as a substitute for oil, the more convinced I am that it must achieve a much more central role in providing the world's energy needs than presently anticipated?"

10:20 p.m.

I'm sure it is strong support indeed. I'm sure our recently honoured mother would agree. It is strong support indeed, from a man who, as an impartial investigator, has examined Ontario Hydro's entire operation in the greatest detail in its history.

**Mr. J. Reed:** That statement cost you \$5 million.

**Hon. Mr. Welch:** The member for York South felt investments of that magnitude perhaps were absolutely essential in order to get that type of public support. As Minister of Energy for Ontario, responsible by way of accounting to the House for the activities of Hydro, I find this type of support quite gratifying.

The main concern of the government of Ontario, a concern shared by every member of this House, is and must always be to act in the best interests of the people of Ontario. The select committee has provided further evidence that in the area of nuclear power, both in terms of energy and in terms of social implications, Ontario Hydro and the government are working in the best interests of the people of this province. I pay tribute



to the members of the MacDonald committee for bringing this matter to our attention.

**Mr. Kerrio:** Mr. Speaker, now that we've retired Ken Taylor, I think there are many people plugging for a job in the diplomatic corps. I would nominate the member for Brock as the number one candidate, if we were going to place him in that role.

This is probably one of the most significant subjects we will address in this Legislature. One of the things that has become very apparent to me over all the months we've been sitting and getting probably the foremost physicists in America, and in all probability, the world, before our select committee, in that for every expert that you bring who would make a point, you could bring another expert who would be diametrically opposed.

I suppose in the final analysis, while we look to those very learned people to help us, they may be somewhat less able to make such decisions as they relate to nuclear power and those new involvements of mankind that are beyond the comprehension of the average citizen. While we look to those people for some kind of direction, it becomes obvious to me that for every one who has a commitment on one side, you could bring another one who has a commitment that is directly opposed.

Ultimately, the decision is made by those of us who stand and speak and vote in this legislative assembly. It becomes very disturbing in the sense that you could nearly discount all the experts, because if you could bring one to bear on each side of an issue it becomes impossible to make a determination on the basis of a consensus of the experts.

I say, with respect, that ultimately the decision is ours. If that is the case, what the Minister of Energy has just put on the record may be looked at with just a little bit of question. We would look on our scene as not being Great Britain, or Japan, which has very limited ability to look in other directions and has to go to these modern concepts of importing coal or some nuclear commitment. We have alternatives we have refused to face.

When the member for Durham West got up and talked about the percentage of on-stream power development of a nuclear reactor, it pales into insignificance when you relate it to a hydraulic generating station. Thereto is no comparison whatsoever. It comes as a surprise to me that those people—Tories all—who would stand and talk about free enterprise in that way, swell their chests out and talk about a socialistic involvement

that turns me right off. If they want to talk about Hydro turning them on, that involvement of the Tories with Hydro turns me right off because I think they have gone too far.

There have been many areas that have not been open to people with a great deal of incentive and a great deal of real feeling about putting something on stream that is independent, free-enterprise and meaningful. No, they have not seen fit to do that. They have allowed this monster of Hydro to grow so big it spills out beyond this whole legislative assembly. It is bigger than all of us. It has been proven by members before this Minister of Energy who sits with us tonight. It may prove bigger than he. He may join that long list of people who thought they could bring this monster to heel, but never has it happened.

In any event, I have a very strong feeling about this, coming as I do from that free-enterprise sector that did not look to government for any kind of help, making it on our own. In fact, in this Legislature I am probably one of the only people who has ever bid for an involvement with a nuclear plant. I say that with respect. I have bid on a heavy water recovery system in the nuclear reactor at Douglas Point. I did not get the contract; I just happened to be second. But that does not matter with a government-operated section that is Socialist, strictly Socialist. I do not concur with that Ontario Hydro involvement that is in direct competition with the private sector.

But that is something else. The fact is that I concur with nuclear involvement but only as an alternative after we exploit all of the hydraulic power, all of the saving that might be made, all of the things that we could do before we make a commitment to this huge involvement with nuclear reactors because the nuclear reactor is a real contradiction.

I have yet to see any kind of salesman who could not sell what some people claim is the best of something, be it an automobile, a threshing machine or a Candu reactor. There is something strange about the whole scheme of things when there are those who stand in their place, like the member for Durham West, and tell us what a great reactor the Candu is. It is better than anything else in the world, but even at a loss we cannot sell them. This is very strange.

The fact remains that we have a couple of levers that those people, who should be good business people but prefer to be socialistically involved, would not use. If we had good business judgment in this country we could

sell Candu reactors. We would sell them by telling those people who want to generate by the nuclear route that they not only would get a reactor from this country but could get the fuel. But that is not what is going to happen.

**Mr. Speaker:** The honourable member's time has expired.

**Mr. Kerrio:** I beg your pardon.

**Mr. Speaker:** Again, you have had it.

**Mr. Kerrio:** That is twice today now, Mr. Speaker. I will wind up very briefly by suggesting that unless we get all levels of gov-

ernment co-operating—we are on the track now with the Premier and the Prime Minister; we have a start. If we could get them to react so that we would supply the uranium to the Candu reactor and tell the Japanese they could not buy our uranium unless they buy our reactor, then we would sell Candu.

Report adopted.

**Mr. Speaker:** That leaves one thing unresolved: item two, the need for electrical capacity. I understand that will be scheduled for another time.

The House adjourned at 10:31 p.m.



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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Friday, October 10, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

FRIDAY, OCTOBER 10, 1980

The House met at 10:01 a.m.

Prayers.

## TRIBUTES TO VLADAS SAKALYS

**Hon. Mr. Welch:** Mr. Speaker, we in Ontario and throughout Canada cherish our freedoms and the opportunities they provide for us and our families to grow and to realize our goals and our potentials. That is why we can all feel sympathy and concern for the millions of people behind the Iron Curtain and elsewhere, where freedom of assembly, freedom of opinion, freedom of religion and freedom to dissent are mere illusions which are betrayed in day-to-day oppression and lack of respect for human dignity. That is why we all understand and hold great respect for those noble individuals whose courage, love of freedom and dedication to human rights transcend everything else.

In your gallery today, Mr. Speaker, we are honoured with the presence of such a man. Vladas Sakalys is a symbol of selfless commitment and dedication. Recently escaped from the Soviet Union, Mr. Sakalys is visiting Canada to urge our nation's strong defence of human rights in countries around the world. He is a reminder of the importance of public pressure to secure and advance international human rights. Mr. Sakalys is also a reminder to all of us of the need for constant vigilance to preserve the freedoms which we in this particular country enjoy and perhaps too often take for granted.

His visit with us seems especially timely as Canadians debate the issue of how best to preserve the rights for which Canada is so well known around the globe. As long as the human rights of individuals are threatened anywhere in the world, as long as the cultural, religious and political freedoms of any human being are constrained, then the freedom of all of us to live in freedom, justice and dignity is jeopardized.

Vladas Sakalys is a man who has placed freedom and human rights above everything else, including his personal safety and that of his family. The Lithuanian community of Ontario is especially proud of his efforts. I know that all of the people of Ontario will

join with the members of this Legislature today in extending him a very warm welcome.

**Mr. S. Smith:** Mr. Speaker, I am very pleased that the Deputy Premier has taken this occasion to introduce Vladas Sakalys who is in your gallery. I had the honour to meet with him yesterday and to be told what it is like to be 38 years old and from the age of 19 onwards to have spent 14 years of one's life in Soviet prisons and labour colonies for no other reason than the fact that Mr. Sakalys refuses to give up his very justifiable feeling that Lithuania should have the right to determine its own future.

Years ago Lester Pearson was among those who said that the sellout of the Baltic nations to the Soviet Union is probably the worst blot on the history of recent western activity. The little states of Latvia, Estonia and Lithuania were, as members know, sold out in those days for practical purposes but, in essence, they remain alive in spirit.

Mr. Sakalys told me how he had to escape from the Soviet Union under threat of arrest by crawling through minefields, by swimming across lakes in the far north of Russia and Finland—lakes near freezing temperature, lakes kilometres wide—by having to retrace and cover over his tracks in recently ploughed fields and by having to spread material to throw the dogs off the scent. He did this for days and days and eventually escaped from certain rearrest to the West.

When a country like the Soviet Union is willing to go to such lengths to suppress a person like this from simply expressing his view that Lithuania should have a right to self-determination, you realize just how fragile the Soviet Union's hold on its own people must be and just how important it is for us in the West to recognize the basic rights of human freedom behind the boundaries of the Soviet Union and throughout the world.

Mr. Speaker, I would like to say one sentence if I might, in what will undoubtedly be badly accented Lithuanian, the language of Mr. Sakalys, in honour of his visit to us.

I basically welcomed him and wished him the best of luck in his struggle for human

rights and, ultimately, freedom for self-expression in Lithuania.

**Mr. Cassidy:** Mr. Speaker, I want to join in the welcome to Mr. Sakalys, who has come here after great trials and great tribulations, not just because of the personal hardships that he has suffered in the defence of the Lithuanian nation and his efforts to defend human rights in the Soviet Union but also because of what he represents in terms of the small but courageous groups of people in Lithuania and in other parts of the Soviet federation who have been seeking to ensure that the Helsinki accords would, in fact, be a reality and not just a joke.

My colleague from Parkdale (Mr. Duksza) will welcome Mr. Sakalys in Lithuanian and Polish, but I would like to say to him, and through him to others, that I think our country, Canada, as a signatory to the Helsinki accords has a very important role. We are not seen as an imperialist country; we are not seen as the same kind of adversary to the Soviet Union as the United States has been. We are a northern country like the Soviet Union but we are a country which is committed to freedom and to human rights.

When the Helsinki accords were signed there was an enormous positive feeling both among expatriate groups from the eastern European countries and among the dissident groups in the Soviet Union and the Communist bloc countries themselves, that what was put on paper and agreed to by the Soviet Union would be made a reality and not be just made a travesty as some of the provisions of the Soviet constitution with relation to human rights and personal freedoms have been made.

The access to such simple things as the right to read the Times of London, the Globe and Mail or the Washington Post was put into the Helsinki accords. It has not, however, been made a reality. The Helsinki accords were meant to ensure that people would not be persecuted for such simple things as meeting together and they were meant to ensure that the rule of law would be applied and that people would not be persecuted because of the opinions that they happen to hold.

I praise Mr. Sakalys and many others like him who have been prepared to spend time in prison, who have been prepared to be separated from their families, but who have not been prepared to knuckle under to a totalitarian system which still exists in the Soviet Union and which denies personal and individual freedoms. I wish, on behalf of us

here in this country, that Canada could do far more, be far more diligent and far more aware of the need to try to make the implementation of the Basket Three of the Helsinki accords into a reality.

10:10 a.m.

There were many people in the expatriate eastern European communities and in those countries as well as in the Soviet Union who look to Canada for a leadership which unfortunately we don't give enough of. I welcome Mr. Sakalys and my friend from Parkdale will close.

[Translation from Lithuanian]

**Mr. Duksza:** Mr. Speaker, I welcome Mr. Sakalys as a fighter for freedom to Canada to tell us about his experiences, so we can join with him in our common cause. I hope he will soon be reunited with his family.

[Translation from Polish]

I understand he speaks Polish. I come from the same part of the world as he does. He is an undefeated champion for the freedom of Lithuania. I would like to quote from our common poet: "Lithuania, my country, you are like health. Only those who have lost it appreciate what it means."

I hope that Mr. Sakalys's efforts are not wasted and that he will see Lithuania free in his lifetime.

[End of translations]

#### AMBULANCE SERVICES

**Hon. Mr. Timbrell:** Mr. Speaker, responding to a point of privilege which was raised in my absence yesterday by the member for Oshawa, I would like, in order to complete the record, to read a memorandum which was prepared by Mr. Armstrong, the regional manager of ambulance services for central western Ontario and sent on the eighth, the day before the point was raised in the House, to Mr. Ventura, the director of ambulance services. I read as follows:

"My involvement in regard to the recent Halton-Mississauga controversy over the suspension of Mr. Hank Meyer, local union president, was as follows:

"On September 15, 1980, I was informed by Mr. Ventura's office that certain statements were made on a CKEY radio release on September 14, 1980, that inferred people were dying in Mississauga as a result of lack of ambulances. I was requested to check out the statements and to contact the Halton-Mississauga ambulance service and inquire as to their knowledge of the statement.

"The ambulance service had knowledge of the statement and asked if we knew where



they could acquire a copy of the transcript. I advised them to contact a media scan service or CKEY directly.

"On September 16, 1980, I received a copy of a media scan regarding this radio release, which is attached, and arranged to discuss this with the Halton-Mississauga ambulance service that evening. We discussed the release and I informed the management of the service that I would request that an inspector investigate the allegations.

"However, when I requested that an inspector be sent to investigate the allegations and interview Mr. Meyer, I was informed that none were available. As a result, I arranged to meet with Mr. Meyer in the presence of a management representative, Mr. Liersch, as would be common practice in the circumstances.

"The meeting was held at 1600 hours on Thursday, September 18, 1980, and Mr. Meyer requested that a union steward be present. We agreed and the meeting commenced.

"It was explained to Mr. Meyer at the onset of the meeting that this was only a fact finding meeting in regard to the statement he made during his interview with CKEY.

"We, Mr. Liersch and myself, went through the transcript line by line and asked Mr. Meyer if he agreed that this was an accurate account of his statements. He was very evasive and continued to infer that the interview was so long that he wasn't sure if the statements were in the right context.

"We then asked him if he agreed with the content of the transcript and he stated that he did. I then advised him that the ministry did not have any reports or investigations indicating that there was inadequate ambulance service in Halton-Mississauga as he had stated. Further, we had no reported incidents of anyone dying as a result of slow ambulance response and asked if he could substantiate his statements. He again became very evasive and never did actually answer the question.

"Mr. Meyer then became concerned that he may be in some trouble and asked what possible action may be taken against him. I advised that it could be anything from being sued to nothing, depending on whether he could substantiate his allegations or not. He was also advised that the ambulance service would have to decide for themselves as to what action they may want to take.

"Mr. Meyer then stated that the ministry had refused to supply the union with any reports or information regarding the staffing changes. I informed him that I had spoken to Mrs. Jackie Gardener, the area union representative, and had sent her all the information

requested. In fact, I advised Mr. Meyer that similar packages of information were sent to the regional municipalities, district health councils, some local municipal and provincial representatives, as well as anyone else who had requested it.

"We then advised him that nothing further could be done until CKEY was contacted and given an opportunity to comment. At this time Mr. Meyer expressed his concern that he may be used as a scapegoat by CKEY.

"We then adjourned the meeting and Mr. Liersch and I met to discuss what course of action was planned by the service in pursuing this issue. Mr. Liersch advised that they had contacted their legal counsel and were awaiting advice from their lawyer. A few days later Mr. Liersch informed me that Mr. Baldwin, their labour lawyer, was recommending that Mr. Meyer be suspended without pay for some period of time yet to be determined. However, Mr. Baldwin advised them that we wanted to check out a few more things with another law firm in regards to litigation before a final decision was made. The next thing I heard was when I read in the newspaper that Mr. Meyer was suspended.

"In summary, I would point out that I did not in any way recommend, advise or pressure Halton-Mississauga into taking any action with their employee. The ambulance service has made this clear to the press and union. I would also point out that the new staffing plan for this service has been in effect for three months now, and the average response time of 7.6 minutes has not been affected. Also, there has not been any recorded incidence of abnormal response to urgent calls or shortages of ambulances."

I hope that will clear up the point.

**Mr. Breaugh:** Mr. Speaker, I rose yesterday to correct the record because the minister, in his response to my question, said, and I will repeat it once again, "The ministry had no part whatsoever in the suspension which was registered against the individual by his employer." I am afraid, in my view at least, the minister has provided even further documentation that the ministry staff did indeed participate in the investigation and that Mr. Armstrong was indeed present at the initial hearing. To me, that constitutes quite a substantial variation from having no part whatsoever.

**Hon. Mr. Timbrell:** Mr. Speaker, with respect, surely the honourable member would expect that when somebody makes an allegation that people have died for lack of ambulances, somebody from the ministry would attend in the capacity of inspector. I will rely

on your fairness and your good judgement—not that of the member for Oshawa, who lacks both—to evaluate the situation.

Interjections.

**Mr. Speaker:** Order.

The member for Oshawa rose yesterday, to use his words, to correct the record on the basis of information provided to him. The honourable minister has done essentially the same thing to indicate what part his ministry and his officials played in it. I don't think there is any big deal here. There is obviously a difference of opinion as to the degree of involvement on both sides.

I will leave it to the House and whoever hears what participation, if any, there was. I don't think there is anything that can be resolved in this House. There is obviously a difference of opinion as to the actual wording of the initial statement made by the minister. The record has been corrected in the eyes of the two proponents here, and I don't see any reason why we should take further time of the House to explore it.

#### VISITORS

**Mr. Speaker:** I would like to draw to the attention of honourable members the presence of a very distinguished guest in the Speaker's gallery in the person of His Excellency Francesco Fulci, who is the ambassador of Italy. He is accompanied by Dr. Alessio Gabotto, who is vice-consul for Italy in Toronto. Would you please welcome them.

#### STATEMENTS BY THE MINISTRY

##### ENERGY PROGRAM

**Hon. Mr. Welch:** Mr. Speaker, this seemed to be the appropriate time to share with members of the House some initiatives the Ministry of Energy will be taking, and is in the process of taking, as a follow-up of a publication we issued about a year ago. During the course of the next several weeks my colleagues will be expanding on some of the details of this overall program. Needless to say, with a number of engagements which the minister has been invited to in the next little while we wanted to involve the private sector as much as possible. We felt this was the place in which to give some indication of the general parameters so that members of the House would have the opportunity to study the background material and to have some appreciation of the initiatives that are going to be taken.

In summary, we are talking here of a \$165-million program related to oil substitution and conservation. It involves some signifi-

cant advances in solar and alternative transportation fuels, the whole area of conservation initiatives, particularly in government buildings.

10:20 a.m.

It is a far-ranging program from building code improvements in our commercial buildings and industrial buildings to conversion of oil furnaces in government buildings that has its impact on short- and long-term employment opportunities. It is to be seen at this stage as an expansion of the comprehensive program of a year ago complementing, as it does, that program and supplementing the programs at other levels of government, particularly the off-oil program of the government of Canada. More details of that will be forthcoming before too long.

Members of the House will recall last October I had the opportunity to release a policy paper for Ontario, Energy Security for the Eighties. In that document we established certain policy targets and provided an overall energy framework for Ontario in the decade ahead. Since then, as members of the House will know, the government has taken a number of initiatives designed to give substance to that policy.

Today, as I have indicated, I am taking this opportunity to share with the House some of the overall program with respect to a \$165-million energy package which is to be seen as our contribution in assisting Canada to achieve crude oil self-sufficiency by 1990. These new energy initiatives will not only contribute to reducing our dependence on oil, but they carry as well economic and industrial benefits in the form of new jobs and export market potential for Ontario technology.

This 10-point program emphasizes energy conservation and oil substitution and includes the following initiatives:

A \$75-million five-year program to stimulate the development and marketing of alternative transportation fuels in the province.

A \$50-million five-year program to accelerate the development of the solar energy industry across the province.

A \$12-million conservation and off-oil conversion program for municipal government buildings, hospitals, schools and other public institutions.

A \$3.6-million three-year municipal energy audit program.

A \$10.6-million five-year extension of the government building energy conservation program.

A \$2.5-million program for converting Ontario government buildings from oil to natural gas or other energy forms.



A \$10-million industrial conservation and oil substitution program.

Included as well will be revisions to the Ontario Building Code to incorporate energy conservation standards for commercial and industrial buildings, a statement with respect to an expanded role for the Ontario Energy Corporation and finally, a skills development program for natural gas fitters and installers.

These programs have been designed with two realities in mind. First, Canada's dependence on foreign oil from unstable world regions must be addressed today. The government of Ontario is prepared to participate actively with other governments and the private sector to help Canada achieve crude oil self-sufficiency by 1990.

The second reality is, although Ontario produces almost no oil we certainly have a role, a responsibility and a vested interest in participating in the solution to our national crude oil problem.

Solar energy affords a good example of the point to be made here. The program will assist the achievement of significant cost performance and reliability improvements in active and passive solar systems through the strengthening of the Canadian solar industry. As members of the House will know, this is largely located in Ontario. It will assist by prebuilding the private and public sector market and encouraging consumer acceptance. It makes good energy sense for Canada, and good economic sense for Ontario.

These programs will help to reduce Canada's dependency on crude oil. It is my hope, and I am sure it is shared by members of the House, that the proposed federal off-oil program will be designed to both complement and supplement these initiatives.

As I said at the beginning of these remarks, I want to indicate that over the next few weeks it is my intention and that of my colleagues to provide members with further details on the individual components of the program which we have announced today. In that connection, we are providing members of the House with background material which will set out some of the overall goals and the direction of these programs to provide them with an opportunity to study these documents and, with the benefit of subsequent announcements, to have some full appreciation of our energy initiatives in this area.

#### FOOD INDUSTRY PRACTICES

**Hon. Mr. Henderson:** Mr. Speaker, later today at the appropriate time I will table the report of the Royal Commission of Inquiry

into Discounting and Allowances in the Food Industry in Ontario.

Under order in council 2537/78, the late Judge James Frederick William Ross was appointed to conduct the inquiry. Judge Ross resigned for health reasons on February 7, 1979. Under order in council 404/79, Judge Wilfred Wesley Leach was appointed to undertake the inquiry.

The report which Judge Leach has submitted contains some 93 conclusions and three recommendations. The government believes that those involved in the food industry in this province should have the opportunity to review this report. Part of Judge Leach's report deals with matters involving competition which are clearly federal matters. I will, of course, draw these matters to the attention of the federal Minister of Consumer and Corporate Affairs.

I am sure all of the members of the House appreciate the time and effort expended by those who co-operated with the inquiry in providing Judge Leach with information.

Mr. Speaker, with your consent, I would be happy at this moment—I know that I don't have to file the report until after the question period—to give the two opposition parties one report each, if they would agree to keep it within the House, in case they want to question me.

**Mr. Speaker:** I don't suppose there is any objection to that.

[Later]

**Hon. Mr. Henderson:** Mr. Speaker, I suggested to the opposition members they should keep this report in the House. The Clerk has informed me that under present procedures I can file the report any time. I have done that and I have released extra reports to the press and the press gallery. I have put other reports in the mail boxes for the honourable members. I just wanted to clear that up.

#### AUTO INSURANCE

**Hon. Mr. Drea:** Mr. Speaker, later today I will be introducing amendments to the Insurance Act and to the Motor Vehicle Accident Claims Act.

The major amendment to the Insurance Act increases the minimum for third-party liability coverage under contracts of automobile insurance from \$100,000 to \$200,000. The amendment to the Motor Vehicle Accident Claims Act proposes a corresponding increase in the maximum amount payable to accident victims out of the motor vehicle accident claims fund. These two major

amendments would come into effect on March 1, 1981.

As of March 1, 1980, Ontario's Compulsory Automobile Insurance Act made it mandatory for motorists to carry a minimum of \$100,000 third-party liability in contracts of automobile insurance. However, this limit has been in effect since January 1, 1977, and in the almost four years since that date the costs of replacing loss of income and automobiles, as well as medical expenses and car repairs, have increased dramatically. Constant inflation has pushed up general living expenses by about 30 per cent in that same period.

While an increase from \$100,000 to \$200,000 doubles the coverage, the increase in premium is only five per cent and will affect only the 19 per cent of motorists who are now insured for the minimum. The other 81 per cent are already insured for \$200,000 or more.

The increase in the maximum amount payable by the motor vehicle accident claims fund is necessary based on my ministry's recent statistics. Within the past year and a half, the current maximum of \$100,000 was paid out in a total of nine cases. These facts clearly show the need for a higher maximum amount as some of these claims might conceivably have deserved a higher settlement.

In addition, the superintendent of insurance has recently approved the under insured motorist endorsement, a new automobile insurance coverage that provides even further protection for a small extra premium, which will probably be less than \$10.

10:30 a.m.

This endorsement is of particular benefit to motorists with a high third-party liability coverage, and it works this way: If a motorist with a \$500,000 liability limit for example, becomes injured in a motor vehicle accident and is awarded a judgement of \$400,000, and if the other motorist has a liability limit of only \$200,000, then the injured motorist's insurance company will cover the difference of \$200,000.

In other words, if a motorist and his family are injured or killed as a result of a motor vehicle accident, they will be protected to the same extent as the motorist has chosen to protect others by way of the liability limits in his policy. For this reason, we expect this new endorsement to be very well received by the public.

Therefore, these amendments and initiatives reflect the need to keep in step with the increased judgements in automobile accident cases and will improve significantly the protection offered to Ontario motorists.

We also propose to amend the definitions of insurance and life insurance in the Insurance Act to make certain that annuities entered into by insurers are life insurance within the defined meaning of that term.

The purpose is to protect annuities from the claims of an insured's creditors, particularly when the beneficiary is the spouse, parent, child or grandchild of the insured, in the same manner as the proceeds of life insurance contracts are so protected under the Insurance Act.

#### SEATING PLAN

**Mr. Peterson:** Mr. Speaker, may I rise on a matter of personal privilege before oral questions? I notice a newly-printed seating plan has been presented to the members and is sitting on the desks. I gather this was printed on the information that was given to you by the various House leaders or party leaders, and I notice with some interest that there is an empty box with "Carleton" written in it, Mr. Speaker. I would suggest a serious mistake has been made. It seems to me that it is the voters who will decide what colour that box should be and this should be changed.

**Mr. Nixon:** We want a complete reprint.

**Mr. Speaker:** I think your point is well taken, but in the interests of economy, when we run out of these we will make sure it is changed.

[Later]

**Hon. Mr. Grossman:** Mr. Speaker, just before you conclude, I thought I might offer this advice to the member for London Centre, who drew to your attention the empty blue box saying "Carleton." Before reprinting the seating plans, I thought you might take our advice and consult with the member for London Centre to see if there would be an empty red box for London Centre.

#### ORAL QUESTIONS

#### ENERGY PROGRAM

**Mr. S. Smith:** Mr. Speaker, I have a question of the Minister of Energy arising from his statement to the House today. Would the minister be able to clarify something? In the minister's original statement which he made back in September of last year, apparently he was calling for five per cent of energy for 1995 to be obtained from renewables other than water power. That was his target. Apparently in today's statement, his target is again five per cent.



Do I take it that fundamentally there has been no change since last September in this regard, and that the programs being announced today are not expected to have any substantially different impact from that which he predicted in September? When he is addressing that, could he address the directly related matter which is that in September he said 35 per cent of Ontario's energy requirements would be coming from indigenous sources, and now he says it will be 37.5 per cent? Where is the additional 2.5 per cent to be placed in this table? Where is it to come from, according to the new program?

**Hon. Mr. Welch:** Mr. Speaker, the Leader of the Opposition is quite correct in pointing out the revision of targets with respect to the announcement today as compared to the announcement of a year ago, and does draw particular attention to that area where a year ago Ontario indicated its interest in improving the percentage of total energy which was generated from within the province from 20 per cent to 35 per cent. The revised target is now 37.5 per cent. It is my understanding that would mostly be in the renewable area, such areas as energy from waste and related programs. As far as the contribution from hydraulic is concerned that has not changed from the 2,000 megawatts that was announced in the program of a year ago.

If there is some difficulty in relating the programs in the other renewable areas, particularly with respect to energy from waste, I would be glad to provide the Leader of the Opposition with a more detailed accounting of those calculations.

**Mr. S. Smith:** I would be very glad to have a more detailed accounting, since it does appear that this entire folderful of new projects will be producing, at best, 2.5 per cent increase in the renewable area. Possibly even that would not be the case, because the sheet handed out today says the target is to produce at least five per cent, which was the previous target as well. There is little or no change, it seems to me, in the last year.

I would ask another question, however. Is the minister able to tell us where this \$165 million over the next three to five years is coming from? How much of that is coming from the federal government?

**Hon. Mr. Welch:** The \$165 million I am talking about today comes from Ontario's consolidated revenue fund. We are hoping that the private sector, because of these initiatives and this leadership, will move immediately to find some matching money. In fact, we assume there will be matching money

from the private sector and we are expecting, before too long, some announcements from the government of Canada with respect to the investments they intend to make on behalf of the taxpayers of Canada along these lines. We are not overlooking what municipal governments may do as well.

I know the Leader of the Opposition has asked the question related specifically to the target portion, but I do not think one can relate the adjustments with respect to the energy to be produced from resources indigenous to Ontario to minimize the scope and the importance of the overall program to which I have made reference today.

We are talking about an initial investment at this stage which, if doubled, means 13,000 man-years of work. It means the substitution of millions of gallons of oil to other fuel. I am sure it would not be the intention of the Leader of the Opposition to lose sight of the tremendous impact that this program could well have with respect to the whole area of oil substitution and conservation.

The target itself relates to revisions we have made with respect to what Ontario itself will do with its own resources. We have no natural gas to speak of. The conversion to get off oil and into natural gas is not going to affect those targets, if the member sees what I am getting at.

The point is, we must not lose sight of the broader impact this program can have. If the Leader of the Opposition makes the point that, notwithstanding the merits of other aspects of the program, he would urge us to continue to be even more aggressive in the part of the program that deals with Ontario's desire to be producing energy from within itself, I would accept that as a challenge but not in the spirit of discrediting the entire program which I have announced today.

**Mr. Cassidy:** Since the minister talks about the challenge that is involved in getting renewables and other nonconventional forms of energy off the ground in Ontario, could he please explain why, despite all the public relations involved here and despite the fact the government is finally beginning to recognize the economic and job-creation impact of alternative forms of energy, there has been no fundamental change at all from the distorted investment priorities of the province as they were enunciated last September?

Specifically, could he explain why it is that the government still intends to put \$12.5 billion into nuclear power and some money into hydraulic energy but there is next to no public investment involved in the \$14 billion

which the government says needs to be spent in the next 14 years in the areas of renewable energy?

**Hon. Mr. Welch:** I do not think that is quite fair. I would like to provide the leader of the third party with an opportunity to review more carefully the material that has been tabled today. Certainly we are talking about a substantial investment of the money given to us by the people of Ontario, provided through the consolidated revenue fund, to take some further steps in the areas that are mentioned here with respect to both oil substitution and conservation.

10:40 a.m.

When we think of the long-term implications of any of these programs, that is, once we leave the developmental stage in a number of these programs and start to view the potential of the commercial possibility, there will obviously be a significant investment at that time from the private sector.

I would have thought, in the spirit of the concerns that were expressed a year ago, there would be wild desk-thumping today on the part of the members of the third party when we showed we were taking this second very positive step now in leading along the directions we set out here. I feel convinced on this Friday morning, as we approach this holiday weekend, that once the honourable members have gone into this in some more detail they will like to share their endorsement of this program when they come back on Tuesday afternoon.

**Mr. S. Smith:** The minister will surely forgive us if we save our desk-thumping for some other time. Will the minister make the simple admission that this whole elaborate program of his over the next five years in total will spend one thirty-sixth of the cost of one nuclear plant? Under those circumstances, with this entire regalia of paper and alleged programs and alleged new initiatives, does the minister not recognize that when he is spending one thirty-sixth of the cost of one nuclear plant and spreading it over five years he really is not beginning to deal in a serious way with the opportunities which we have in Ontario to move into renewable energy?

**Hon. Mr. Welch:** The Minister of Energy has never been one to be overly impressed that in order to be successful, programs have to involve massive expenditures of public money. The Minister of Energy stands in his place today announcing this additional step on the road to self-sufficiency in this country and acknowledging how important it is, in the full confidence that people who really know and understand this area will see the

leadership that is being exhibited by this government.

**Mr. Cassidy:** Mr. Speaker, if I can take the minister up on his own figures, can he explain how we can accept the seriousness of the government with regard to the need for alternative forms of energy, when he intends to spend \$31.5 million a year over the next five years in the area of encouragement that he talked about but will still be spending more than \$1 billion a year on conventional sources of electricity? What kind of priorities does that represent from the government of Ontario?

**Hon. Mr. Welch:** There is nothing in what I said today or a year ago or which will be enunciated clearly at the electricity conference next week that would indicate this government has abandoned its conviction with respect to the place that electricity will play in the future of this province. There would be no reason today why I would stand in my place indicating we were going in any way to diminish our commitment to electricity and its availability.

When we talk about substitution, are we not in a wonderful position in Ontario to be able to offer the people of this province a choice that when they get off oil they would have available to them either gas or electricity? I think we are going to be in a wonderful position in this province through the leadership that has been taken over the years to make sure electricity is available.

#### ASSISTANCE TO PULP AND PAPER INDUSTRY

**Mr. S. Smith:** Mr. Speaker, we will offer the people of Ontario a choice, but it will be a little different from the one the Minister of Energy is talking about.

I have a question for the Minister of Industry and Tourism. The minister will recall approving a grant of approximately \$21 million to the Ontario Paper Company for a new modernization program, and he is aware one of the things they are doing is a de-inking procedure so they can use waste newsprint. Is the minister aware that it is the company's intention, or appears to be the company's intention, to import waste newsprint from the United States of America for the first several years of operation of this program?

Does it strike the minister as reasonable that, with an abundance of garbage in Toronto and Hamilton which we have sent to landfill sites, we should actually be in the



business of encouraging the importation of more garbage from the United States to make this plant work?

If the minister is aware of this, what steps did he take, once he knew the grant was being given, to make sure the Minister of the Environment (Mr. Parrott) gets moving and gets Ontario into a situation where we have the waste newsprint ready and in a position to be used by the Ontario Paper Company?

**Hon. Mr. Grossman:** Mr. Speaker, that would not appear to be sensible, if the facts the Leader of the Opposition is relaying to the House are accurate. I will look into them.

I can tell the member that Ontario Paper and my ministry have disagreed on one or two of their purchases in terms of their obligations to source in Canada with regard to machinery. But that has ultimately been resolved to our satisfaction, more or less. To date, they have met their sourcing requirements in terms of machinery as per the agreement.

I will look into the specific suggestion the Leader of the Opposition makes. I know in that particular part of the world there are all sorts of rumours floating around with regard to what Ontario Paper is doing. I emphasize to date we have found them to be honouring their agreements.

I will look into what the member is saying. If it is true, I would find it unsatisfactory, and we will take some action to correct it.

**Mr. S. Smith:** Naturally, the minister will look into it. One always wants up-to-date information. But assuming it is a fact that for the first several years the company is intending to import waste paper from Buffalo or someplace near the border, the minister should finally light some kind of fire under the Minister of the Environment to get them to collect waste paper in Hamilton, which is a large metropolitan centre nearby, in St. Catharines, in Toronto—which is not that far from the plant in Thorold. They should get the waste paper collected on a basis where it has a predictable price, and get it down to Thorold. They should not start further importation of a product which surely we have in abundance.

Will the Minister of Industry and Tourism do something with his fellow minister to get him moving in this area?

**Hon. Mr. Grossman:** I would say to the Leader of the Opposition that all it takes to light a fire under my esteemed colleague is a very reasoned, calm argument, not the sort

of careless rhetoric he usually gets from that side of the House.

**Mr. Foulds:** Supplementary, Mr. Speaker: As a last resort, could the minister assure the company of a firm contract by sending them the government speeches and releases put out by the Ministry of Industry and Tourism?

**Hon. Mr. Grossman:** No. I thought we would send them over a compilation of the member's leader's assessment of how many people have been laid off in this province, wherein he double counts and triple counts auto workers who are laid off for two weeks at a time. I thought every time he puts out that or there is an open letter addressed to me, sent to the press but never arriving in my office, perhaps from my new critic in the back bench over there, that would be enough to fuel that operation for at least two years.

**Mr. Cassidy:** Mr. Speaker, I have a question to the Minister of Industry and Tourism. I wish the minister would get on with the job of creating jobs in the province rather than trying to pretend the layoffs are not occurring in this province right now.

My question to the minister relates to the employment development fund. Can the minister tell the House if the grants made to the pulp and paper industry over the last year or so were made on more information than the report of the special task force on Ontario's pulp and paper industry? Would he tell the House what those studies were, and will he table that information in the House?

**Hon. Mr. Grossman:** Mr. Speaker, may I say with regard to the gratuitous remark the leader of the New Democratic Party began with, in fairness, whether we are getting on with the job of creating jobs, it is incumbent upon the leader of the third party at least to be fair in terms of letting the world know what the total jobless figure is and what the total layoff figure is.

He knows very well, because he selected the words very carefully on Monday last. Instead of saying the number of people unemployed, or the number of people currently without jobs, he selected the words very carefully, and said the number of people to date who have been put on lay-off. That figure is 138,000, or whatever he used. There are no comparable figures for earlier years, because they were not assembled by him or by anyone else. In fact, the member chose to go that route, which ignores how many of those were on layoff for two days, one week, or two weeks; how many of those have found new jobs or have been taken back to their old jobs and it pre-

sents, for political purposes, a totally distorted view of the state of the economy.

10:50 a.m.

If the member wants to build his argument, why does he not build it by comparing unemployment last year with unemployment this year? The unemployment figures are up this year. They are up 0.5 per cent. But, of course, that was not enough for the member. He had to go the devious route of counting double and triple layoffs. That does not do anyone justice. It does no one justice in this province.

Let me simply answer the question the member did ask after the gratuitous comments by saying our paper was drawn on the basis of the Duncan Allan report. The member has a full copy of that.

**Mr. Cassidy:** If I could respond to the minister's gratuitous remarks, I would say simply this: Does the minister not recognize, when somebody is laid off, the kind of trauma that creates for that individual, that family and that community?

**Mr. Speaker:** Order. Both of the members are digging themselves in a little bit deeper at the expense of all other members who have legitimate questions to ask. Does the member have a supplementary?

**Mr. Cassidy:** Yes, I do, Mr. Speaker. The minister has said that the grants to the industry were based only on the special task force report. Now that the grants have been called into question, and we do not say that grants should not go if they are needed—

Some hon. members: Oh, oh!

**Mr. Cassidy:** Oh, that is right. Now that they have been put into question, will the minister provide documentation to this Legislature so we can find out whether government money was spent needlessly as has now been alleged?

**Hon. Mr. Grossman:** I am pleased to hear the member say that he did not say the grants should not be given. All I want to tell him is that my staff is going to have a great Thanksgiving weekend looking up what the member said last year as opposed to what he said a minute ago, because we are going to have a great day on Tuesday here in the Legislature.

**Mr. Cassidy:** We said if the money were needed, the people of the province should have equity. We never insisted that money should go to corporations that do not need it the way the government seems to be saying right now.

**Hon. Mr. Grossman:** We will come back here on Tuesday and see what it is the member said last week. He did not pay attention to the experience here the other day of the member for Welland-Thorold (Mr. Swart).

May I simply state that, notwithstanding the report prepared by two professors who did not take into account extraneous but very important matters, such as exchange rates, to name one—notwithstanding that report, this government is very comfortable having secured 18,000 jobs in the northern part of this province, together with other places, such as Cornwall and Thorold.

There are two things the member forgets. First, those moneys were paid to secure jobs; they were not cheques handed over to big corporations to take somewhere else. Second, when the member talks about big corporations he very often forgets that what he tends to call big corporations, as though they really did not exist anywhere and there were no real people behind them, are largely corporations owned by employees' pension funds.

If the member thinks pulp and paper companies are ripping off the public of Ontario, I want him to go and tell the people who have money invested in those companies, through their pension funds, and the people who are investing those pension funds in those companies, that they are ripoff artists. I would bet the member does not have the courage to do that.

**Mr. Cassidy:** Since the Dryden mill was raised by the Premier (Mr. Davis) in the House earlier this week, is the minister aware that in its 1979 annual report, Great Lakes Paper, which owns the Dryden mill, indicated that it had earmarked funds for a \$200-million expansion and modernization of the Dryden facilities, and that was done regardless of whether the public funds were coming in? Since that plant was the one that was perhaps in the greatest difficulty, will the minister come back to the question I am putting, which is this: Will the government justify the grants going to that industry, or is it the government's position that money should go to corporations whether they need it or not?

**Hon. Mr. Grossman:** It is not the government's position that moneys should go to corporations whether they need it or not. It is our long-stated policy, as a result of a careful analysis done by some of the finest civil servants in this government—

**Ms. Gigantes:** Do you mean the analysis by Duncan Allan?



**Hon. Mr. Crossman:** Yes, I will put Duncan Allan up against the two professors any day of the week. I will put Duncan Allan and the people who sit on this side of the House who analysed that report up against those professors. I will also put them up against any leader of a party who double counts layoff figures any time.

The leader of the third party refers to the fact that Great Lakes had a preliminary allocation for the Dryden mill in 1979. That is simply because, if the leader of the third party will remember, that program was introduced in 1979. All through 1978 and 1979 just about every pulp and paper company went to Dryden and looked at the mill. They were concerned about the cost of taking a 1913 mill and making it world competitive. All of them had been there and all of them had looked at it.

Those companies that had been taken to Dryden as a result of the efforts of this government and thought there was a potential to take advantage of the availability of the program and therefore save a mill that otherwise they would not consider going into—those that thought there was a possibility and were obviously running their companies properly made some preliminary allocations in the event they could strike a deal that made the mill work.

Ultimately, because of the dedication of people on this side of the House and Duncan Allan and the civil servants involved, a situation developed that made the economics work. Therefore, the money set aside by Great Lakes, being a prudent and careful company, was ultimately expended to save those jobs in Dryden.

If the leader of the third party wants to deal with the Dryden mill, he should be aware that he is dealing with perhaps the best and most classic example of a mill that certainly would have closed without this government's program. If he is prepared to stand up and say it is his opinion, having thoroughly analysed the facts and figures of the Dryden mill, that without this government's assistance that mill would have stayed open, then I challenge him to say that all over the north country. We will just see the results of that.

## ECONOMIC EQUALITY FOR WOMEN

**Mr. Cassidy:** Mr. Speaker, I have a new question to the Minister of Labour with respect to the need for economic equality for women and the record of the government with relation to its own civil service.

Can the minister explain why it is that under Ontario's civil service, a woman who is a switchboard operator, who needs four years of secondary school education and a year's experience as a telephone operator, who requires courtesy, tact, clear enunciation, ability to communicate orally and a good knowledge of the government, can earn a maximum salary of \$196.26 a week, but a man who is a parking attendant for the Ontario government, who needs only elementary school completion, a knowledge of location of main government offices and there are no minimum requirements for experience, earns a maximum of \$234.80 a week?

Will the minister explain why it is that women who have greater qualifications can earn a maximum salary that is close to \$40 a week less than men who work as parking lot attendants? Can the minister explain what that means for economic equality for women in the province of Ontario?

**Hon. Mr. Elgie:** Mr. Speaker, first, I cannot overlook the introductory remarks to which the leader of the third party is prone, that this government's record with regard to its civil servants should be examined. If one takes the time to examine it and takes a look at it in a nonpartisan way—and I hope the leader of the third party will seriously do that one day—he will see this government stands out in Canada as one that has done something with regard to the women crown employees.

We have introduced women crown employees' affirmative action plans and this year, as the member knows, we are the only government in Canada that has introduced an affirmative action program for women within the government with annual targets subject to annual revisions and with a separate fund allowing women to upgrade and improve themselves to be eligible for higher positions within the government. That is a pretty good record to stand on. Let us not start out with some innocuous comment that there is nothing going on, because there is lots going on and we are the leaders in that area.

In particular, with regard to the question asked of me about employees within the government—the leader of the third party knows very well, because he is a seasoned parliamentarian—that the Chairman of Management Board of Cabinet is in charge of civil servants in this province, and the honourable member will have to direct that question to him.

In a general way, the leader of the third party knows very well that there is an evaluation scheme in place in this government and it is subject to annual negotiation or negoti-

ation at the time of collective bargaining and that the status of employees within this province is clearly demarcated within that legislation. If he wants further clarification on it, he should ask the man who is in charge of it—the Chairman of Management Board of Cabinet.

11 a.m.

**Mr. Cassidy:** Since the minister is responsible for the overall concept of affirmative action, if it is ever applied, can he explain how it is, with all of this effective affirmative action he is talking about, 97 per cent of the employees working as switchboard operators are women and, despite the need for greater experience and qualifications, they earn \$40 a week less than male parking lot attendants, 100 per cent of whom are men? Why is there that disparity, why is there that ghettoization and when will we have a commitment from this government to bring effective affirmative action for the civil servants of Ontario and in all of the work places of the province?

**Hon. Mr. Elgie:** Let me reiterate very firmly, so the message sinks in, that this government is the only government in Canada that has in place an effective commitment to its crown employees with annual targets subject to revision and with a fund allowing upgrading. The honourable member should not try to downplay the fact that there is something going on in this province that is not going on elsewhere.

Again, I can only say that for the details of salary negotiations with regard to crown employees I will have to refer that question to the Chairman of Management Board of Cabinet (Mr. McCague) and the member can get that answer from him next week.

**Mrs. Campbell:** Supplementary—

**Mr. Speaker:** I hope it adds something new, because the last supplementary was identical to the original question and the answers to both were the same. If the member for St. George can introduce something new into it I will recognize her.

**Mrs. Campbell:** Mr. Speaker, the minister has been aware of this problem for some time. We are asking the Minister of Labour for his philosophical position on it. Does the minister recall that he directed me to the same other minister on this question and that I sent a copy of that letter to the Minister of Labour in which that minister said, "We are moving to close the gap, but there will always be a gap." What is his response to that philosophy?

**Hon. Mr. Elgie:** Again, we can get on to the extraneous first. Let there be no doubt

about my own personal commitment to improve the position of women in the work place. I do not think anybody has any doubt about that position.

A funny thing happens in life. I know one has dreams and aspirations about being here, but there is a funny thing that happens, and that is that questions related to a minister should be directed to that minister. It is a pretty simple philosophy.

**Mrs. Campbell:** The minister is in charge of labour.

**Hon. Mr. Elgie:** When the chairman of management board is in place, members can ask him that question.

**Mr. Bounsall:** Mr. Speaker, is the minister not aware that the women crown employees office is in his ministry and it is that organization that should be pointing out to the chairman of management board these obvious continuing inequities in this whole area? I gather from the minister's shaking of the head that he has certainly directed the women crown employees office of his ministry not to take any initiative in this area, an area which is quite open for them to do so.

**Hon. Mr. Elgie:** I know, and the member for Windsor-Sandwich knows, that he would not say to the director of the women crown employees office, Rita Burak, that she is not actively pursuing the interests of women in government employees. She and I are very active. As the member knows, the programs that are in place very clearly enunciate the position of this government and its desire to see improved positions for women in the government.

#### AMHERSTBURG ANNEXATION

**Mr. Mancini:** Mr. Speaker, I would like to direct my question to the Minister of Intergovernmental Affairs. Recently, the town of Amherstburg has gone before the Ontario Municipal Board with annexation procedures with the township of Anderdon and the township of Malden. The township of Malden on October 2, 1980, passed the following resolution which I would like to put before the minister in question form.

If the Ontario Municipal Board does not rule, or if the board does not have the power to rule, that the people affected in the town of Amherstburg annexation application issue be called to vote in their new municipality, then we request the Minister of Intergovernmental Affairs, by legislation, to have the November 10, 1980, election in the township of Malden, the township of Anderdon and



the town of Amherstburg postponed, and that the election be rescheduled at the pleasure of the ministry upon resolution of the issue.

I hope the minister can comment on the fact that we are going to have approximately 3,500 people in new municipalities after November 10, yet voting in old municipalities before November 10.

**Hon. Mr. Wells:** Mr. Speaker, the answer to the question is that at the present time we have that telegram from Malden but we are not aware of the position of Amherstburg and Anderdon township on the matter of postponing the election. Obviously, the Ontario Municipal Board is going to order an amalgamation, I am not sure that the official order has been made yet, but certainly the board has indicated that it is going to order an amalgamation.

I think the point being made is that it would be better to have the election process and the decision as to who will represent whom all straightened out before the elections. We will have to see how we can do that. I cannot give my friend an answer as to exactly how it will be done right this morning.

**Mr. Mancini:** Amherstburg, Anderdon and Malden had already agreed to the annexation before the Ontario Municipal Board hearing, and the OMB hearing was more or less to give approval of the matter. If the three municipalities cannot agree among themselves that this matter should be postponed or that the people affected should possibly vote in the new municipality even though they officially may not reside there, would the minister be willing to solve the dispute by legislation, or would the ministry just wish to let the matter lie?

**Hon. Mr. Wells:** I will give my friend a full report on it on Tuesday. I would not be averse to solving it by legislation if that is the way it can be solved. That will have to be done with the co-operation of this House because, as my friend knows, nomination day is October 20 and that is a week this coming Monday; so it would have to be done within the few days that the House meets next week.

### ENERGY SUPPLIES

**Ms. Gigantes:** Mr. Speaker, I have a question for the Minister of Energy. During the estimates of his ministry in April of this year, I suggested to him that he should investigate the possibility that the government of Ontario should invest in holdings of natural gas in the grounds held by Canadian

producers in Alberta. He expressed interest in the idea, and I am wondering if he is willing now to make further comment on it.

**Hon. Mr. Welch:** Yes, Mr. Speaker, I do recall that suggestion, and indeed, in following up, I did have some appreciation of the point being made by the honourable member from the standpoint of security of supply. I am not prepared to report any particular plans with respect to our action on this matter, but I did notice a speculative story that appeared recently in the business section of the *Globe and Mail*, indicating that this was being given some consideration by the government of Canada. I have been trying to get in touch with the federal minister to find out if there is any substance to that particular story. Perhaps following that conversation we would have more information for the honourable member.

### AMBULANCE SERVICES

**Mr. Ashe:** Mr. Speaker, I have a question for the Minister of Health. In the *Toronto Star's* York-Durham edition earlier this week, specifically on Monday, there was a headline story, "Need Called Urgent for More Pickering Ambulance Service." As this is an area I am very interested in and concerned with, I wonder whether the minister has had an opportunity to investigate the allegations as to the need for further ambulances, as put forth by Mr. Russ Abram, the director of ambulance services in the area, and what the ministry is prepared to do about it?

**Hon. Mr. Timbrell:** Mr. Speaker, the problem in that area apparently is that about a third of the ambulance calls in the Ajax-Pickering area are for transfers of patients between the Ajax-Pickering Hospital and the medical centre that is across the street. I take it there must be some labs or X-ray facilities, or something in there, that are used on a regular basis. The fact that fully one third of the calls are for that kind of work is cause for concern which led two weeks ago to our ambulance services offering to the Ajax hospital an ambulance vehicle if they would undertake to look after their own routine transfer work. Apparently, we have not heard back from the hospital. If they would do that, and if we could work it on that basis, I think that would achieve a satisfactory solution.

11:10 a.m.

At the present time, the average response time for the ambulance service in that area is a very acceptable 7.6 minutes per call, but in that particular area we do have that

specific problem. If the suggestion my staff has made is taken up, I think it will resolve any difficulties.

### WINTER BREAK

**Mr. Stong:** Mr. Speaker, I have a question of the Minister of Education. Respecting fully the autonomy of local school boards and keeping in mind the parochial decisions of school boards across the province and more particularly the decision of the York County Board of Education to proclaim winter break for 1981 during the week of March 23 to 27, would the minister in consultation with the Minister of Industry and Tourism use her otherwise highly persuasive methods to have that mid-winter break advanced at least to the beginning of March so that families with young skiers can plan their activities at a time when there may be a greater possibility of snow on the ground and so that the ski operators' industry in the province may be preserved, conserved and even assisted?

**Hon. Miss Stephenson:** Mr. Speaker, I recognize the concern of the honourable member for the viability of the winter tourism establishments in this province, and I recognize his involvement in that kind of activity.

I am not really sure whether the honourable member is suggesting to me that I should use my persuasive powers on the school boards to change the dates of the winter break or perhaps attempt to establish a direct pipeline with the Superior Being to pray for snow at the most appropriate time whenever the winter break happens to occur.

I do think there should be some co-ordination between what is available in this province in terms of family recreation and the time that is made available for family recreation periods by school boards. I shall be glad to look at it.

### FOOD PRICES

**Mr. Swart:** Mr. Speaker, my question is to the Minister of Consumer and Commercial Relations. The minister will recall that during the justice committee estimates last year we had a debate about the overpricing by multinationals to the Canadian consumer. The minister committed himself in that debate a year ago to comparing 25 or 30 basic essential consumer products in the United States with those in Ontario. I quote from Hansard what he said: "We will do it monthly. We will do it alongside the monitoring report we do on food prices in the province of Ontario."

I ask the minister now why he has not kept that commitment in any respect, especially when inflation has been in two-digit figures for the last three months and when multinationals have such a large part in the pricing in this province.

**Hon. Mr. Drea:** Mr. Speaker, I have kept the commitment. We have been working on it. If I did not get so many Daffy Duck letters sent out by the honourable member that I have had to look into, that would be available. It will start very shortly.

**Mr. Swart:** I am beginning to wonder how many he looks into in view of the fact I get practically no replies.

**Hon. Mr. Drea:** The honourable member is sending letters to everybody but me and then wondering why he does not get a reply from me.

**Mr. Swart:** May I ask the minister what input he or his government made to the meeting held yesterday in Saskatoon that was called by Mr. Ouellet, the federal Minister of Consumer and Corporate Affairs, to deal with the matter of the weak competition between big businesses which was admitted by Mr. Ouellet? With this government having constitutional control over retail prices, what new measures does the minister intend to institute to give some price protection to the consumer? Is he satisfied with the markups the way they are?

**Hon. Mr. Drea:** Obviously the honourable member is confused. There is a federal-provincial meeting of consumer ministers now under way in Saskatoon. Unfortunately, neither myself nor the minister in Quebec could attend. I do not know what the minister for Quebec's reason is, but I could not attend because, up until Monday, my estimates were scheduled for this week; subsequently, there was legislation this week and a rearrangement.

I have people out there, and I will find out when they come back, but to the best of my knowledge the matters that the honourable member is talking about were not on the agenda for this meeting. I will see what the federal minister was proposing to other consumer ministers. Most of it revolved around how to police the Canadian home insulation program. I will look into what the member wants.

**Mr. Swart:** I will send the news clipping to you.

**Hon. Mr. Drea:** I do not want anything from the member. I will find out from my people who were there.



## GANG KILLING

**Mr. Kerrio:** Mr. Speaker, I have a question of the Solicitor General, to follow up the question I raised yesterday.

I am sure the minister shares my very deep concern about the gang beating and death of Mr. John Turner in Hamilton a month or so ago. I would like to know if the minister feels comfortable with the report that the murder occurred in full view of bystanders in a public place. There has only been one charge laid against one person and that person has not been found yet.

Subsequent to my question as to why there are not more people charged, I wish to raise the question of security at a public involvement like that. The family itself is asking if the minister would question those people as to why there was not adequate police protection at such a large involvement when this so-called Parkdale gang assaulted and killed this individual.

**Mrs. Campbell:** Answer my letter too.

**Hon. Mr. McMurtry:** Mr. Speaker, everyone is absolutely appalled by what occurred. In so far as the police investigation is concerned, I would like to assure the honourable member that it is a very intensive and thorough investigation, and we are hopeful that additional charges will be laid.

With respect to whether the people who are responsible for the administration of Hamilton Place should have anticipated a situation that required some greater form of security, that had not been alleged, to my knowledge, although something may have appeared in the local press to that effect. I really do not know that the officials at Hamilton Place should have anticipated the need for additional police presence.

Quite frankly, concerned as I have been with the criminal investigation aspect of it, I have not been aware of any allegation that the officials of Hamilton Place were in any way negligent with respect to what they might have anticipated. But given the honourable member's question and given the Solicitor General's overall accountability with respect to public safety generally, I will look into that aspect of the matter and report back to the Legislature.

**Mr. Kerrio:** It has been brought to my attention that many people in the Hamilton area are quite disturbed about the antics of this so-called Parkdale group. I wonder if the Solicitor General would satisfy himself that there is adequate investigation into that group. During any investigation he might pursue, would he satisfy himself whether the

claim of those people who are suggesting there has been tremendous harassment by this group is justified, and consider whether he should go that step further and do a thorough investigation into the whole involvement of that group? I might say this group is of many years' standing.

11:20 a.m.

**Hon. Mr. McMurtry:** There is no question but that the gang, which is known as the Parkdale gang, certainly involves a lot of very vicious individuals. It is a form of sub-culture that is dedicated to being very destructive to that community, and nobody underestimates for a moment the danger of their animal-like qualities.

I can say that over the years these people have been about, literally hundreds of charges have been laid and a number of jail terms have been meted out by the courts towards this particular group. Unfortunately, as we all know, they still exist. The police have allocated considerable resources with respect to their activities and will continue to do so.

**Mr. Warner:** Mr. Speaker, since the Solicitor General has extracted most of my press release, perhaps he would go one step further and guarantee us that the Ontario Provincial Police will be intricately involved with the Hamilton area police in making sure that a thorough job is done and that the Parkdale gang will be brought into court to face charges. By this I mean all of the individuals, not just the ringleader.

**Hon. Mr. McMurtry:** I am not in a position to outline the details of the investigation for obvious reasons or the number of police personnel who are involved in this very intensive investigation. Again, I can only give the assurance that I am satisfied that adequate police resources are engaged in this very serious matter.

**Mr. Stong:** Mr. Speaker, inasmuch as the police knew in advance that this body-building competition or male beauty contest, whatever it was, was taking place at Hamilton Place, they knew in advance that the notorious Parkdale gang of Hamilton would be in attendance, and they knew from previous encounters of the criminal reputation of that gang, could the Solicitor General assure this House that he has satisfied himself with proper answers as to whether the police were present and as obvious as they are at hockey arenas and picket lines? Will he assure us that this gang and gangs like it will be subject to more police surveillance?

Can he further assure us that the investigation into this Turner incident is not being hampered by intimidation of the police by

this gang of thugs, as it would appear are the civilian witnesses?

**Hon. Mr. McMurtry:** I can certainly give the honourable member assurance that the police are not being intimidated by this gang. I think part of the honourable member's question was covered by his colleague the member for Niagara Falls (Mr. Kerrio) in relation to what should have been anticipated in advance of this tragedy. I have already given him an undertaking that I will pursue that avenue of investigation and inquiry in view of the questions that have been asked about it.

**Mr. M. N. Davison:** Is the Solicitor General satisfied, in his own mind, that it was appropriate for the Hamilton-Wentworth regional police to say, as the police have done, that the security at Hamilton Place that evening was sufficient both before and after the fact? Does he not think that the police in Hamilton-Wentworth should re-examine the security at Hamilton Place so that incidents like this cannot take place in the future?

**Hon. Mr. McMurtry:** Again, my previous answers would apply equally to the issue that has been raised.

#### AIR AMBULANCE SERVICE

**Mr. Wildman:** Mr. Speaker, I have a question for the Minister of Health. Is the minister aware of the case of Mrs. Herve Plamondon of Mattice, a 70-year-old woman who was transferred from the Hearst Hospital to the Toronto General Hospital? She was going to have a heart pacer implanted. She spent three weeks in the Toronto General Hospital and, when ready to return to her home after recuperation, the air ambulance service refused to transport her. She ended up having to travel for 15 hours sitting up on a train after this serious operation.

**Hon. Mr. Timbrell:** I don't know how serious the operation was, Mr. Speaker. Pacer-maker implants can be fairly routine nowadays, as a matter of fact. If the individual in question were still a patient, that is, still in need of attention or supervision, then she would have been transported in the most appropriate form of ambulance.

I should say, as we move towards the expansion of the air ambulance service to include fixed-wing aircraft for the north, one of the things we are looking at, as those planes move back and forth between northern centres and places like Sudbury and

Thunder Bay and from time to time to the south, is how we can co-ordinate the movement back to the north of people who come south so that those planes are used to the maximum advantage.

The policy is, if a person is still a patient, still in need of attention or supervision, he or she would be transported by the ambulance service; otherwise, no.

**Mr. Wildman:** Mr. Speaker, is the minister aware that Kapuskasing Mayor Rene Piche, who is a member of the Ministry of Health air ambulance advisory committee, has stated in an interview that the doctor in the hospital should have arranged for the return transfer and fought for it, the air transportation should have been provided and they should have thought about the red tape afterwards? Does the minister agree there is a lot of red tape in his air ambulance system and, if so, is he now prepared to agree with the North-eastern Ontario Hospital Association's proposal that there be a complete review of his long-transfer service?

**Hon. Mr. Timbrell:** Mr. Speaker, the review of the air ambulance service has been under way since 1979 with the air ambulance committee I appointed, drawn from five northern health councils. When a hospital does arrange an air evacuation, by air ambulance—and many times it settles things between itself and the branch after the fact—that paperwork should not and does not stop the actual transfer of the person. It is the doctor who orders a land ambulance or whatever. After the fact, if it was an inappropriate use, then the hospital has to straighten it out with the branch, not by involving the patient.

#### WINDSOR COURTHOUSE

**Mr. B. Newman:** Mr. Speaker, I have a question of the Attorney General in the absence of the Minister of Government Services (Mr. Wiseman). Is the Attorney General aware of the complaints of both the legal profession and the public concerning the safety hazards and the overcrowding, as well as the inadequacies, of the provincial courthouse building in the city of Windsor? What plan does the minister have to alleviate the problems?

**Hon. Mr. McMurtry:** Mr. Speaker, it has come to my attention that there is some concern, both within the profession and publicly, as the honourable member has stated, as to the adequacy of these facilities. I can't tell the honourable member at this moment just what the long-term or short-term plan is for



improving these facilities, but I will obtain that information for him.

**Mr. B. Newman:** Supplementary, Mr. Speaker: Would the minister take under consideration the possible leasing of the vacant building directly across from the provincial courts building, that is, the former Steinberg's-Miracle Mart Building, as part of an answer to the problem pro tem, a temporary answer to the problem?

**Hon. Mr. McMurtry:** Mr. Speaker, we are certainly not averse to leasing space. We have a fair amount of leased court space about the province now. I will certainly discuss the honourable member's proposal with the Minister of Government Services.

**Mr. Ruston:** Supplementary, Mr. Speaker: In this jam-up in the courts, does the problem have anything to do with some of the remarks made by the senior county court judge—the provincial court judge, in the last year or two in regard to the delaying of the actions going before the courts? He blamed the lawyers, although they didn't accept it. Does that have anything to do with the general logjam in the courts?

**Hon. Mr. McMurtry:** Does the honourable member mean the role of the lawyers?

11:30 a.m.

**Mr. Ruston:** The court system.

**Hon. Mr. McMurtry:** I'm quite happy to attempt to address the supplementary. I gather the question is that the honourable member would like to know my views as to why there are problems existing with respect to backlogs in the courts in Windsor or in any other area.

I could take quite a few minutes, if time permitted, to outline the nature of this problem, which is very complex, with many dimensions. I don't think it's fair to attribute blame or responsibility in any specific area. Obviously, there are a number of very major components in the administration of justice and the administration of the courts: the role of the defence counsel, the role of crown counsel and the overall supervisory role of the judiciary with respect to the management of the case load once it is in the courts. They all have a very vital role to play.

The administration of justice, it should be pointed out, should never be desired to run with the assembly-line efficiency that might be desirable in private industry. There are many human factors and many justifiable factors that cause court delays.

If the honourable member would like to speak to me, either through question period

or privately, about any particular aspect of this very complex issue, I would be happy to do so.

**Mr. Speaker:** I don't know whether the legal involvement has that effect in Windsor courts, but it certainly had that effect in question period.

## LAYOFFS

**Mr. Cassidy:** On a point of privilege, Mr. Speaker. The Minister of Industry and Tourism suggested earlier in question period that I had given inaccurate information with respect to the number of layoffs that have taken place in the first seven months of this year. I would therefore like to put the figures on the record for the sake of accuracy. As recorded by the Canada Employment and Immigration offices, 138,800 layoffs took place in Ontario in the first eight months of this year. Those were voluntary reportings of layoffs of 50 or more, and therefore undercounted layoffs, and if the minister—

**Mr. Speaker:** Order. There was a difference of opinion in question period. It still remains. You can table any information you want and people can make up their own minds as to what is factual and what is less than factual.

## PETITION

### DRIVERS' LICENCES

**Mr. Foulds:** Mr. Speaker, I have a petition signed by more than 500 people, which reads as follows:

"To the ministers and members of the Ontario Legislative Assembly, we, the undersigned, urge the Legislature of this province to take the necessary steps as swiftly as possible to establish a driver control board or a drivers' appeal board to adjudicate when requested to do so on behalf of drivers who have had licences cancelled or drivers who have been required to turn in valid licences for any reason.

"Citizens whose livelihoods are dependent upon possession of a current and valid AC or other type of drivers' licence must be provided with some official avenue of appeal when such licences have for any reason been terminated. The citizens of Ontario, no less than the citizens of other Canadian provinces, should be allowed this opportunity."

If I may add, Mr. Speaker, the petition arose because of the Don Dolinski case, concerning one of my constituents who was a diabetic and who had his licence suspended because of the authoritarian and arbitrary

regulations of the Ministry of Transportation and Communications.

## INTRODUCTION OF BILLS

### INSURANCE AMENDMENT ACT

Hon. Mr. Drea moved first reading of Bill 164, An Act to amend the Insurance Act.

Motion agreed to.

### MOTOR VEHICLE ACCIDENT CLAIMS AMENDMENT ACT

Hon. Mr. Drea moved first reading of Bill 165, An Act to amend the Motor Vehicle Accident Claims Act.

Motion agreed to.

### NONRESIDENT AGRICULTURAL LAND INTERESTS REGISTRATION AMENDMENT ACT

Mr. MacDonald moved first reading of Bill 166, An Act to amend the Nonresident Agricultural Land Interests Registration Act.

Motion agreed to.

**Mr. MacDonald:** Mr. Speaker, this amending bill covers three points with regard to the bill that was introduced and passed in this Legislature last June.

The first makes it mandatory that there shall be the appointment of a director and inspector for this whole registration process. For some strange reason, it is only permissive in the bill. Second, there is a time limit fixed that the first report of that director shall be by December 31, 1981. Third, in response to the urgent pleas yesterday of the Huron county federation representatives, there shall be a moratorium on sales to nonresidents during that period until there is an opportunity for review.

The board of the Ontario Federation of Agriculture has called for appropriate action, without which it suggests the Minister of Agriculture and Food (Mr. Henderson) should resign. I am suggesting that this is the appropriate action he should take.

## ORDERS OF THE DAY

House in committee of supply.

### ESTIMATES, OFFICE OF THE LIEUTENANT GOVERNOR

On vote 101, Office of the Lieutenant Governor program:

**Hon. Mr. Davis:** Mr. Chairman I know that this particular estimate always provokes a lengthy debate and discussion. I would like

to lead off the estimates of this particular vote by stating once again for the record and on behalf of the government our great appreciation to the former Lieutenant Governor (Mrs. McGibbon), who during her tenure of office demonstrated the real need for the office of the Lieutenant Governor and the way it can be used as a symbol of that very important tradition here in this province.

11:40 p.m.

Over her period in office, I learned not only to respect but to develop a very genuine affection for the Honourable. Pauline McGibbon. I think it is fair to state that she brought a new dimension in many respects to that responsibility. There was not just the day-to-day work in terms of signing all the excellent recommendations submitted by the executive council of this government, not just her responsibilities in terms of delivering, year after year, those excellent throne speeches for the members of this Legislature to consider, but also the access she established for the many people and groups across this province, her own interest in visiting so many areas and attending official functions, some of them of a very formal nature and many of an informal nature.

During her tenure in office, there is no question that she made far more people aware of the position of the Lieutenant Governor and its relevance. I would like to express, in a very sincere way, the appreciation of the members of the government for the excellent way in which she discharged her responsibilities as Lieutenant Governor of this province.

I would also like to say something about the new Lieutenant Governor. I knew him prior to his assumption of this onerous responsibility. I must confess my knowledge of and involvement with our new Lieutenant Governor were usually of a non-partisan nature, because I didn't see him at too many of our partisan functions nor was I at too many of those that he might have attended. He brings to his new responsibilities a real grasp of what this province and what this country are all about. There is no question that he assumed this office at some personal sacrifice in terms of his own traditional way of earning a living.

It is fair to state that he will establish his own style. It will have substance and there is a real commitment to discharge these responsibilities in an appropriate fashion. The Lieutenant Governor had the task of



opening the 1980 International Ploughing Match in or near Woodstock not too many days ago. I certainly see one member opposite who was present there, whether he ploughed or not; I was not able to stay and see. I only know that if he did, his furrow would not have been nearly as straight or as well turned—or whatever the terminology is—as that of either the Premier or the Minister of Agriculture and Food (Mr. Henderson). But I think he would join me in saying how well received the Lieutenant Governor was. Not only did His Honour feel at home, but he demonstrated his interest in and support for that very important segment of our community.

I would like to take this opportunity, because I have not done so here in the House other than when the Honourable John Aird was sworn in, to express our best wishes as a government to him, and to assure him officially and formally, although I have done so informally, of any assistance we might be able to offer to him and to his wife in the performance of their duties.

I cautioned him at the swearing in that we might have some little advice to offer as he prepared the next throne speech for the consideration of members of this House. I feel relatively comfortable that he will, in fact, seek some of that advice and that he will deliver in that great tradition once again a very great throne speech to the members of this Legislature.

**Mr. Foulds:** When is that?

**Hon. Mr. Davis:** Whenever the appropriate time is.

I do wish him well, as he now assumes this responsibility, in his tenure in office. I have nothing much to say, Mr. Chairman, with respect to the actual figures in the vote. If there are any questions, I shall endeavour to answer them, although it may be that I would have to rush out for far more detailed observation if the questions become too onerous or too difficult.

But I did want to put on the record those observations about our former Lieutenant Governor and to wish the new Lieutenant Governor well as he has assumed those responsibilities here in this province.

**Mr. S. Smith:** Mr. Chairman, I simply want to add a few words to say how well served Ontario was by the Honourable Pauline McGibbon as Lieutenant Governor. The present Lieutenant Governor and I were chatting about it and he and I agreed that it was almost a "no-win" proposition for him in the

sense that he has following someone whose conduct in the office was so exemplary it would be almost impossible for anybody to improve on it.

However, I know the present Lieutenant Governor is intending, and has already started, to carry out his duties with a tremendous amount of goodwill, a tremendous amount of good humour, a genuine desire to be of service to Her Majesty and to all of the people of Ontario. I have no doubt that apart from the occasional difficult times he may have—assuming of course no election intervenes—in having to give voice to words which he had no hand in writing, he will enjoy his post. I am sure the rest of us will be very grateful for his services.

With regard to my colleague from Brant-Oxford-Norfolk, the Premier I think suggested that the Premier might have ploughed a straighter furrow than the member.

**Mr. Foulds:** They would be pretty shallow though.

**Mr. S. Smith:** It is possible, I suppose, but if the Premier ploughs a furrow as directly as he answers a question he wouldn't win any prizes in that contest.

Actually by the time they go around in circles he might have dug himself into quite a situation.

I simply would add my good wishes to those of the Premier to both the former Lieutenant Governor and the present Lieutenant Governor. We have no comments to make apart from that on the estimates of the Lieutenant Governor.

**Mr. Foulds:** I almost feel as if I have been through this movie before somehow, because we all some time ago got up and paid tribute to the previous and the current Lieutenant Governors. I am particularly pleased in a personal way to pay tribute to the former Lieutenant Governor.

To be perfectly frank, I have never been a great enthusiast for ritual and tradition, but the former Lieutenant Governor handled her duties in such a way as to make that ritual and tradition, which is necessary in our society, real. She also had a talent for bringing that in a very common way, in the best sense of that word, to the people of this province. I think she did a great deal to enhance the dignity of politics in the best sense of the word politics in the political process. In this day and age when political processes are often under unjust attacks, it was good for the previous number of years to have had a Lieutenant Governor like Pauline McGibbon.

I am reminded in an impish kind of way of the mischievous line in the Beatle song about Her Majesty the Queen and I will leave it at that for those who want to look up that obscure reference.

I think the jury is still out, frankly, on our current Lieutenant Governor. I will wait until the termination of his term of office before we give him the laudatory comments we give to the Honourable Pauline McGibbon because of the dignified and humane way in which she carried out her duties.

11:50 a.m.

**Mr. Nixon:** I just want to speak briefly about some prejudices I have as to how the government backs up the Lieutenant Governor in his duties. I was very impressed with Lieutenant Governor Aird's acceptance speech. The thing that stood out in my mind is he said he wanted his office to be marked by a minimum of pomp and a maximum of goodwill, a nice phrase. When he said it I thought of the government instructing that we have a half dozen trumpeters in the outer hall to signal his entrance into the building. I don't know why brass trumpeters for the Lieutenant Governor bother me.

Actually, I might as well tell you that I am not nuts about the landau, rented from a well-known brewery, that starts not at the Lieutenant Governor's residence, because of course he doesn't have an official one, but somewhere down around the Royal York, and comes in triumph up University Avenue. Actually, anyone I speak to about this says, "Oh, I like that idea. I think it is so nice that we really keep up those traditions." It isn't a tradition. In my view, it's baloney.

I am sure anybody listening to my remarks would agree that I am not criticizing the Lieutenant Governor but those people in the administration, probably in the protocol office, who have such atrocious judgement in these matters, because it is not Her Majesty. When Her Majesty comes, I am sure they indicate to us what in the best sense provincials are supposed to do, and we look after her needs. Of course, it is our duty as members of this Legislature not only to offer our respect in every way to the Lieutenant Governor, which we do, but to see that the office is properly respected by our citizens.

I believe there is no complaint as to the reaction of the citizens. The citizens in this province probably even share the enthusiasm expressed on all sides of this House from time to time about the monarchy and its representation here. I am expressing only a

personal view. Will you take it easy on the pomp side?

**Hon. Mr. Davis:** Mr. Chairman, being probably a far more modest person than the honourable member who has just spoken, I would make only one or two observations.

I think the tradition here has been with respect, for instance, to the use of the landau, which is really perhaps at this time an energy conservation device, to move the Lieutenant Governor from the Royal York—

**Mr. Nixon:** There are still horse buns on lower University Avenue.

**Hon. Mr. Davis:** I won't say what I was going to say. I would only say to the honourable member that to my knowledge these decisions are very personal ones, made by the Lieutenant Governors themselves. I think you will find, if you were to explore it with former Lieutenant Governors, and not to defend the protocol office, which I think really does a very excellent job in its responsibilities, the honourable member may find that perhaps there was some personal inclination on the part of former Lieutenant Governors to discharge their responsibilities in what they felt was an appropriate fashion.

I think the new Lieutenant Governor in his own wisdom, certainly up to this moment in time, has decided that he will arrive here at Queen's Park in other than a landau. Mind you, he may change that point of view.

**Mr. Nixon:** Has he ordered trumpets?

**Hon. Mr. Davis:** I really can't comment as specifically on the trumpets as I can on the means of conveyance in getting here, because I do know the new Lieutenant Governor wasn't anxious to arrive here in a landau on his first appearance. But the honourable member has known former Lieutenant Governors, one in particular much better than I knew him, and perhaps he might check whatever diaries were kept—

**Mr. Nixon:** He never did get the advice he wanted.

**Hon. Mr. Davis:** It is funny, I was with him on many occasions, and while on certain issues he never got the advice he wanted, in the view of the honourable member, I always found him in a very personal way to be very supportive, very supportive. In fact, I knew him for nearly as long as the honourable member; but, of course, not nearly as well. However, I listen to the observations of the honourable member, and I assure him that the protocol office or the government really don't impose these things.



I make a general observation. It can perhaps be argued both ways, but it is symbolic and traditional. I think there are occasions where that symbolism is perhaps enhanced. I don't know what the decision of the new Lieutenant Governor will be with respect to the attire he may appear in when he arrives in this House. I would only say I know two former Lieutenant Governors who certainly made their own decisions and have had their portraits painted in certain attire, and that was not at the suggestion of the government or protocol office.

I have heard, Mr. Chairman—and I am sure the new Lieutenant Governor will read—with great interest the things that have been said as to how much pomp, how much circumstance, how little pomp, how little circumstance might be a part of his discharge of his responsibilities. I have every confidence that he will make the right judgment.

Vote 101 agreed to.

#### ESTIMATES, OFFICE OF THE PREMIER

On vote 201, Office of the Premier program:

**Hon. Mr. Davis:** I don't normally take too much of the members' time or the time of the House to make initial comments on this particular vote. I might say to the members opposite, I intend, with their acceptance, that my remarks will relate to a combination of the Premier's office and the cabinet office, in that what I have to say covers responsibilities by and large in both areas.

The reason I want to make some observations is that I appeared in this House on Monday at two o'clock. We have been here four sittings days and also on Wednesday. In the minds of the electorate as an issue that concerns them in a personal way, I don't say the issue presently being discussed is the average person's first priority. But there are discussions going on in the House of Commons and in just about every province in Canada. I made an opening statement on Monday, and I must express some modest surprise—I say this to the member for Lakeshore—that no observations, no questions and no discussion of this important issue facing Ontarians and Canadians has taken place.

**Mr. Lawlor:** You should be gratified.

**Hon. Mr. Davis:** I think I can fairly assume by the relative quiet in this House—not necessarily what one or two members say in terms of radio or television interviews—that the opposition parties have accepted completely

the positions as enunciated by the Premier of this province. I can only assume this because I have had nothing to the contrary. No one has questioned what Ontario has said and done with respect to this constitutional debate.

**Mr. Nixon:** That is so.

**Hon. Mr. Davis:** I assume that the member who is concerned about pomp and circumstance joins in support of the Premier of this province in what has been said and what has transpired. I say that, Mr. Chairman, knowing full well, if the Leader of the Opposition and, I think, the leader of the New Democratic Party had had the responsibilities on one or two sensitive issues, they would have made different decisions.

#### 12 noon

I am going to deal with some of these issues, but I want to put one on the table right at the outset. That is the proposal from the government of Canada that section 133 within the existing constitution would apply to Ontario.

I think it is fair to state—because the Leader of the Opposition has really, I think, enunciated this, and I think the leader of the New Democratic Party has enunciated it—that they would have been in support of section 133 having application here in Ontario. I even see a nod of the head as that being the case. Mr. Chairman, I think it is important that I say to the members of this House—

**Mr. Nixon:** Where is the nodding coming from?

**Hon. Mr. Davis:** I thought I saw your colleague sort of nod his head. Oh, in other words you would not have it apply?

**Mr. S. Smith:** You did not see me nod my head.

**Hon. Mr. Davis:** But you would have it apply?

**Mr. S. Smith:** I will tell you when it is my turn to speak.

**Hon. Mr. Davis:** I see. I am glad that you are going to get up and say—

**Mr. Nixon:** This is just like old times, isn't it?

**Hon. Mr. Davis:** I would say, with respect, certainly this has been your position, and I assume that it still is, and I think it is fair to state, Mr. Chairman—

**Mr. Nixon:** You are just smarting over the comments made by the editorialists.

**Hon. Mr. Davis:** No, I could have predicted very clearly what the editorialists

might have said. I could have written their editorials for them. I might have been perhaps somewhat more gentle in the observations, but our position on this has not changed in the past couple of years, and I was able to predict, I think with some accuracy, what certain editorial writers would write.

But, Mr. Chairman, one of the responsibilities of head of government in this province is to identify those things that are essential and those things that are acceptable. I was pleased—I can phrase it in no other fashion—that the government of Canada, in its ultimate judgement, determined that the provisions of section 133 should not be part of the resolution presently being discussed in the House of Commons, and that in fact the views expressed by the Premier of this province as to our own approach to this sensitive issue probably are more realistic, more acceptable and fit in with the Canadian context.

**Mr. Lawlor:** You want to do indirectly what you are not courageous enough to do directly.

**Hon. Mr. Davis:** I would say to the member for Lakeshore, I would be pleased this morning, if he is the spokesman on behalf of his party—

**Mr. Lawlor:** No, my leader will be here.

**Hon. Mr. Davis:** —if he were, in fact, to say, “Yes, the Premier of Ontario should have accepted section 133.” I expect the Leader of the Opposition to say this, because I know this happens to be his point of view.

**Mr. Lawlor:** You are doing it surreptitiously anyway.

**Hon. Mr. Davis:** If the member for Lakeshore wants to make that sort of observation, fine. I just really want him to get up and say he would put it in.

I think it is fair to state as well that there are some other matters that have to be discussed here in this House, perhaps some explanation as to why this province did not agree with some of the points of view as expressed by the first ministers of other provinces at that conference.

Some, perhaps, who were not part of the process, did not understand what had transpired leading up to the first ministers’ meeting. There had been a series of meetings over the summer months where officials from every government in Canada, cabinet ministers from every government, spent hours, days and, literally, weeks in attempting to come up with some reconciliation of those agenda items that were before them.

It is fair to report to the members of this House that in a number of those matters

there was consensus, even, in some matters, unanimity with respect to their inclusion in any new constitution, and I guess hindsight is a great thing, you sometimes look back and you begin to question the process of how these things happened.

I listened to the other first ministers in good faith express points of view in a general sense on Monday morning. There was some suggestion, because of the great work that had gone on in the areas of agreement and disagreement, that opening statements, because we had been through this ritual on so many first ministers’ meetings, might be dispensed with and as a result move into the actual discussion or negotiation process. As I have said, you will never get me on the record as opposing meetings of this importance being held in public, but there are certain disadvantages in that you take positions; you take positions because, let’s face it, we are all human and we endeavour to reflect a point of view that we know is being watched and listened to by those who are viewing it in one’s own constituency or in one’s own province. One tends to reiterate those points of view to the point perhaps where one becomes entrenched to the extent that when the negotiation process *per se* begins it is difficult to vary from the positions one has established because one senses there may be a misunderstanding.

I have always been concerned at first ministers’ meetings, whether they have been on the constitution, economic issues or energy, about the concept of the media. I am not being critical of the media. They have a responsibility, particularly the electronic media. It is very difficult for them when they are on in living colour and nothing is happening on the floor. They have to fill in by speculating, guessing, seeing what the latest backroom comment may be. This too makes it difficult in terms of portraying the reality of what is taking place.

So I am not being critical of the media, but I have been to so many of these meetings and there is always a tendency to sort our winners and losers. Did you get what you wanted? Did you not get what you wanted? Did somebody give something? Did somebody get something?

I think and hope first ministers’ meetings will go on. Perhaps there will be a greater understanding and awareness, certainly from my perspective. I do not go there seeking to be a winner, I do not go there seeking to be a loser. I go there as representing this province to try and find some solutions. I am



not being critical of the process. I am just raising the question whether there are better ways in terms of moving the quiet negotiations earlier in a meeting, where certain give and take can take place prior to certain entrenched positions being developed.

I will share something else with members of the House. At this meeting in particular it began to appear as though there were two groups of people there—the Premiers and the government of Canada. It began to develop that “if you agree with our package”—and that term was used by some Premiers on more than one occasion—“if you will buy what is in this package then we are prepared to consider what is in the government of Canada’s package.”

I am not saying that is wrong, except there is a tendency then, while one may or may not agree with what is in the total package per se, one begins to get locked into the support of a position that may not be that vital to one’s own provincial concerns. Again, I am not saying this is wrong. I just say that I sense this has been one of the problems in the past.

I use the field of communications as an example. Here there was “a provincial consensus” as to what might transpire or what would be acceptable in the field of communications. I think it is fair to state that the government of Canada, in its wisdom, was prepared to give something in the field of communications but not as much as the provinces as a group felt was acceptable. In other discussions, it was a position that was not acceptable to one province in particular and perhaps with some support from another.

From the perspective of Ontario’s interests, we could have accepted the federal proposal on communications. I would not presume to speak for other Premiers, but my guess is there were others who could have accepted the more limited proposal put forward by the government of Canada in the field of communications. But there was one province in particular—and I am not being critical of its point of view, except it does not happen to be mine—that disagreed in terms of how much federal or how much provincial responsibility there might be.

I was intrigued by the offer of the government of Canada in the field of communications to have Bell Canada become a provincial responsibility. But then the very complicating factor emerges, and members of the House will understand it, it would become a provincial responsibility with residual responsibility in the federal government with

respect to long distance or interprovincial responsibilities. Instead of solving a problem, in my view, you might give this responsibility to the provinces but with the overriding responsibility of the government of Canada in some aspects. Then you would have two levels of government making some of these determinations.

12:10 p.m.

We didn’t reject it initially because I hadn’t heard of this proposal before. I wasn’t that excited initially about having the government of Ontario responsible for Bell Canada. I didn’t leap at that offer with great enthusiasm. As it turned out, any decision became irrelevant because the proposal didn’t move ahead.

I think I have to share with members of this House my concern with respect to the provincial consensus—not that we weren’t part of it. Don’t misunderstand me; we were. I have always endeavoured to draw a distinction about involvement by a provincial jurisdiction in the area of communications, say, our involvement in cable television, our involvement with respect to licensing and many of these things. While I understand the desire of some of the provinces to have a greater involvement, I have always held a point of view that rather than having complete control of broadcasting per se, there still must be in no uncertain terms a responsibility and an opportunity for a national government in terms of national broadcasting, of national networks and what have you.

It is fair to state that this point of view was very strongly held by some provinces, but as a result of the government of Canada saying, “We can only go this far” or “We will only go this far,” that particular consensus achieved by the provinces was not acceptable. I just use that as one example.

I should explain my objections to an issue that has now not emerged in the resolution, but on which a great deal of discussion went on. That was the question of the preamble. I am sure the members opposite, in briefing themselves for this discussion or following the debates at the first ministers’ meeting will recall that there were two or three proposals for a preamble. I am in favour of a preamble to a constitution. I nearly suggested the member for Lakeshore, being the poet he is, might find words that would in a general sense express—I didn’t say this, I would say to the member for Lakeshore—what we feel about this country.

It was important to one of our sister provinces in particular—with some support,

incidentally—that the preamble contain the phrase, “We, the provinces, freely associated.” I am not quoting with total accuracy here, but that was generally the tenor of what one province in particular, with some support from others, wished to see included in the constitution.

I did not intend at the conference, nor do I intend at any point, to relive the history or remind people of just how this country did come into being. It is not a question of free association of all the provinces. If you look at history, if you take out a map, if you look at just what was involved in 1867 when Confederation took place, you will find rather large geographic areas of the great province of Quebec that were not part of Quebec when Confederation took place.

The member for Brant-Oxford-Norfolk, who is a far greater scholar than I, will recall that even if you look at the map of Ontario in 1867 you will find that the geographic area covered was not that of the total province we now enjoy. It was the government of Canada that gave to the province much of the geographic area we presently refer to as the province of Ontario or the province of Quebec.

**Mr. Nixon:** It was Oliver Mowat who got it in the House of Lords.

**Hon. Mr. Davis:** That is correct. I think it is also fair to state, and I am not doing anything other than recalling a little bit of history, that some of the western provinces were created. I objected strenuously, particularly in the Saturday morning discussions, to the concept of freely associating, which has a nice ring to it.

Any lawyer—I look across the House and I only see one at the moment—I think the member for Lakeshore would understand the law sufficiently to understand that if the principle of freedom of association is contained in the preamble of any national constitution, there is the possibility of interpreting that at some point in history as the possibility of free disassociation—if that is in fact a proper word. This is what was being urged by one of our sister provinces, with some support, perhaps not totally understanding the subtlety that if that is in there it establishes in constitutional form the right to self-determination.

Members opposite may disagree with me, but Ontario—and I—will have no part of a new constitution that has built into its principles the right to self-determination. To me, that has not been what this country

has been about, and I don't think we can afford to have that particular principle built into it in one form or another. If members opposite disagree with that point of view, which we put on the Saturday morning, I can only say that perhaps here is an area of disagreement. I would like to think there was no disagreement on that particular issue.

I make no bones about it, we were supportive of what we thought was another very important position. There were some first ministers at the meeting who really thought it was Ontario's position and not a proposal from the government of Canada. That related to the concept of economic union. We did support it with greater enthusiasm than probably any other province at that first ministers' meeting. We did it out of a very fundamental belief, that is, an acceptance of the principle that in a federation such as Canada the principles of a common market must prevail.

I said the other day that we accepted the principle that has been put into the resolution at present before the federal House regarding mobility of labour rights. That was a part of the “economic package.” We support that. I make no bones about it. I said it then, and I say it again here this morning, that the principle must be there that a Canadian has the right to seek employment in any part of this nation.

This doesn't take away from affirmative actions programs. I made this clear to the Premier of Saskatchewan, and I think he understands this. I don't think he is opposed to this right of mobility. I really don't. An affirmative action program, for instance, where you have particular programs for the native population to give them special incentives in a geographic area of the province, but where the restriction also applies to people, say, in southern Saskatchewan—I have no quarrel with that in principle, none whatsoever. I have no quarrel with affirmative action programs. But I think the principle of the right to mobility of Canadians to seek employment in whatever part of this nation they wish to reside is fundamental.

The government of Canada made a determination, because they sensed there was some opposition to the other principles of goods, services and capital, to leave it out of the resolution now before the House. Ontario was supportive of that principle being included. I hope at some point in time in our future it will be. I am increasingly concerned at the balkanization—I can't think of any better word—that is taking place, and the



potential for this expanding, in terms of the Canadian common market community.

I know other Premiers say this is "in Ontario's interest." I reminded some of the Premiers, both in private and in public, that if we wish to adopt a policy in terms of government procurement, say, in the manufacturing sector, we had a better chance of making that program succeed than almost any other province in Canada. But I think it would be wrong. I am supportive, I confess this, of a policy whereby some priority and some encouragement is given to support for Canadian industry. The Shop Canadian proposal was basically originated by Ontario.

12:20 p.m.

I would be reluctant to see this province get into a situation, which incidentally some members of the population here in this province would accept, whereby we were to say by way of government policy there would be a five, 10 or 15 per cent differential in terms of the procurement policies of government or government agencies. That is happening in some parts of this country. This is why I was very definitely in support of that principle being included.

I think it is fair to state that we had some discussions on the principle of capital, which on the surface I do not think one can argue against. But once again the Premier of Saskatchewan raised a very practical and valid concern. I do not think it was ever the intent of the framers of the proposal and it was certainly not the intent of Ontario to interfere, even though we may disagree with it philosophically, with the ability of a province to establish, say, a provincial automobile insurance scheme. But an interpretation could be placed upon that section that would make that illegal or perhaps unconstitutional.

I think the government of Canada perhaps perceived this in its wisdom because I think it sensed there was opposition to this concept, not in principle, but in terms of how you would make it work. To my way of thinking, obviously, the government of Canada decided not to pursue that in the present package—I do not like the word "package"—in the present resolution before the House. I have to say I would hope that some consideration to this approach could be given as we pursue this, as we will, over as many years as there are in front of us.

I understand the reservation, acceptance in principle, that the government of Canada was seeking something whereby it would be more than a principle, where there would, in fact, be some form of enforcement. Enforcement

is not the right word perhaps, but some way it seemed it was more than just an expression.

(We were coming somewhat closer as to whether that should be a quasi-judicial approach or whether it should be done in conjunction with a political and judicial approach. Once again, because consensus was not being achieved or unanimity on other issues, this was set aside.)

I think it is fair to state from Ontario's point of view again there is no question about patriation. I would remind some people, even the odd editorial writer, that this province and this Premier roughly two years ago were the first ones to call for patriation. I support patriation. I support it with enthusiasm. I think it was close to the conclusion on the last first ministers' meeting prior to this one. When it was obvious we were not making any progress—and I am being critical of no one—I suggested: "Let us patriate. Let us have this much accomplished and then let us move ahead when we have the constitution here and deal with it in the context that perhaps would see some greater progress made."

With respect to the whole problem of an amending formula, where there has been some concentration of debate, let us be very realistic on this issue. I know the select committee has considered many of these things. In terms of the context of the amending formula, there are probably very few amending formulas that could be devised where the interests of Ontario—I do not like the word "protected"—would not be recognized.

We are sitting here with close to one third of the population, so we do not have the vested interest in the terms that some other provinces might have. I sympathize and I understand. We came to a Toronto consensus that was not acceptable to one or two provinces. Ontario was prepared to support what was described at the last meeting as the Vancouver consensus. I am not sure why all of these amending formulas get labelled with names of geographic communities, but that apparently is happening.

Here again I think there was a consensus among the Premiers. But the government of Canada was reluctant to accept the Vancouver consensus because there was not the give and take, in its view, with respect to a number of other issues that had been raised.

Mr. Chairman, I think I have to say very frankly, and I expressed this to my fellow Premiers, that in my view the Vancouver consensus did not represent the best form of amending formula. Do not ask what the best

one is, because something that people agree to is perhaps better than no amending formula. But we could not reach an agreement with the government of Canada on the amending formula.

If I recall the discussion that took place, Ontario suggested that we move without an amending formula, that unanimity stay as the principle for a period of time—I do not recall if I stated a period of time—and at least have the patriation, some of the rights, some of the things where there was a growing consensus and then let's deal with the amending formula when it returned here to Canada. I think it is fair to state that this province is still prepared to say, without any doubt, and I hope this is the intent of the government of Canada, that during that period of time there will be opportunities for further discussion on something that might be more universally acceptable in terms of an amending formula.

I was one of those who expressed concern about unilateral activity, unilateral patriation, but at the same time I am not going to be contradicting myself here in this House because of points of view expressed by others. There comes a point in any country's history where, if you are looking for unanimity to make some progress, with the possibility of that unanimity, as desirable as it would be—I am one of those who likes unanimity—you have to make a decision.

One of my fellow first ministers called for another meeting in January. I would say with respect I could not see anything in what happened two weeks ago that could substantially alter by January so that in fact we could make progress two months from now that we could not have made two weeks ago. I did not reject the idea but I do not know what, in fact, would change if that were to take place.

I think as this discussion goes on, as we see this unfold, there will be some very real differences, from Ontario's perspective, on those issues that we have raised really since Victoria of 1971. As I have said on a number of occasions in this House, I look back on 1971, quite frankly, with regret, because we came so very close to where in fact we had unanimity at least for that period of time where we were together in Victoria, but in the judgement of the then Premier of Quebec, that unanimous proposal could not be carried forward.

**Mr. Nixon:** You could have helped them.

**Hon. Mr. Davis:** With great respect that is totally incorrect. It was his determination. He was urged to move ahead. He was urged

by the then Prime Minister and present Prime Minister to move ahead. It was a decision made by that Premier in his judgement in what he felt were the best interests of Quebec. I don't make determinations—

**Mr. Nixon:** It was my view of the situation.

**Hon. Mr. Davis:** I can only say to the honourable member, I was a little closer to it than he was. It is always easier to have a point of view when you are not involved. It is always simpler.

**Mr. Nixon:** You paid to take me out to Victoria.

**Hon. Mr. Davis:** I did. Listen, the member enjoyed it; he told me he did.

**Mr. Nixon:** I thought we could have had an agreement that would have stuck if Ontario had taken a more leading role.

**Hon. Mr. Davis:** Oh, come on.

**Mr. Nixon:** That is my view.

**Hon. Mr. Davis:** That's fine. That is the member's view but I tell him, it is no other historian's view. I think scholars who are nearly as eminent as the member will record that.

**Mr. Nixon:** For the last 10 years you have been writing history.

**Hon. Mr. Davis:** No, I have not, not at all; maybe making it, but not writing it.

Mr. Chairman, I am one of those who hopes that this discussion will continue to be constructive. I do not say the rhetoric hasn't become fairly strong on the part of some and on some points of view but Ontario presented its point of view. It has been consistent, I think it is fair to state, at all first ministers' meetings. I understand the politics of saying the Premier of Ontario agrees with the Prime Minister of Canada. I understand the partisan differences that separate us on so many issues. When one looks at some of the changes that have taken place, one might also argue on two or three issues that the Prime Minister of Canada has come to agree with the positions of Ontario.

12:30 p.m.

As I have said on a number of occasions, this is the kind of issue where one must really look at one's own conscience in terms of making a determination. It is far more comfortable for me politically to be in opposition to a federal Liberal government. Even the Leader of the Opposition in this province found it more comfortable to disassociate himself from the present Prime Minister of Canada in those days when his life was politically more difficult, and then to



become more enthusiastic as the polls indicated the present Prime Minister perhaps was not in the same difficulty he was two years ago.

The Leader of the Opposition was trying to be a little facetious yesterday in some interruptions during question period. Certainly there is a perception out there that the national leader of our party and I disagree on some aspects. It is also fair to state that we agree on some aspects of this constitutional debate. But one thing I have never done, even in the days where there were some disagreements, I have never attempted to dissociate myself. I have never said to others in the press gallery or elsewhere—I won't quote some of the things I know have been said.

I think people in political life in this country, even in this province, can rise above the purely partisan instincts and take positions they happen to believe in because they happen to believe they are right. If the members opposite wish to have a little fun as to whether I am supporting the Liberal Prime Minister of Canada, that is fine. I can only say to them, I too can have a little fun with the history of the past couple of years in terms of their on and off and on and off relationships and their support, lack of support, enthusiasm, lack of enthusiasm for their own national leader and the Prime Minister of this country. I see the Leader of the Opposition smiling because his conscience has been pricked. He knows what I am saying is factually correct.

One thing I have always been able to say about myself—and there are some things I wouldn't want to say about myself—in political terms, I have attempted to feel, because I happen to believe in the process, able to disagree with points of view put forward by a national leader of my party, while at the same time retaining my loyalty in terms of my partisan involvement. I would say this must apply to the Premier of Saskatchewan. I don't think he has become any less committed to the New Democratic Party of Canada because he doesn't totally agree with the positions put by his national leader. I think it is fair to state that.

My guess is that a large segment of the New Democratic Party in Quebec is not disloyal to Mr. Broadbent because it happens to disagree with the point of view he has expressed. I wouldn't even accuse the member for Ottawa Centre (Mr. Cassidy) if he were to rise in his place today and say, "I disagree with Mr. Broadbent. I don't think there should be any entrenchment of

rights. I don't think this should happen, but when the next federal election is held, if he is still the leader and I am still here, I will still actively support him." I would be very disappointed in him if he didn't take that particular position.

I have so many other notes here—I would say to the gentleman who reminds me of Magna Carta so often and so vigorously that I know the Leader of the Opposition is just waiting to say some of these things he said on a television or radio program yesterday or the day before. I don't react to that kind of comment. I have been involved in this process too long.

I know what the member is going to say. I can write his script for him. I know exactly what he is going to say, that the province and the Premier of Ontario should have said, "Now, what do you fellows want?" We should have been more conciliatory, should have been more aggressive in terms of the strength of the economy of this province. I know all these things.

I have to say we are dealing with human beings and we are dealing with individuals. They are not your patients. It is very difficult for you to say this, as you did yesterday. At the same time, in your conciliatory fashion, you have stood up in this House and publicly commented on the attitude of the Premier of Alberta. I have to tell you if you were ever to negotiate with the Premier of Alberta the interests of the people of this province and of Canada would go totally down the tubes after the things you have said. This is also true with respect to the Premier of Newfoundland. So don't go on television or radio or wherever it was and say: "If I had been there, I would have been a conciliator. I would have been able to say to the Premier of Alberta, after the things I said six months ago, 'Now, listen, Mr. Premier of Alberta, what is it you really want? What is it I can do for you? How can I accommodate your interests? How can I, as the Premier of Ontario, solve your problems without medical help? How can I do all of these things so that the Premier'"—this is the Leader of the Opposition speaking to himself.

Am I not sort of trespassing on some of the script that you have prepared? I know what you are going to say.

Interjections.

**Hon. Mr. Davis:** I would say that either you have prepared one or your immediate adviser, smiling under the gallery there, has.

**Mr. Nixon:** If you want to see smiling sycophants, look under your own gallery.

**Hon. Mr. Davis:** That is a very unkind phrase to use.

**Mr. Nixon:** A spokesman for the Tory party is sitting over there.

**Hon. Mr. Davis:** Here he is, a public servant, over here apologizing for the Liberal Party in polls. At least I think I read something about Mr. Deeks and what he was saying.

The Leader of the Opposition was concerned because I wanted entrenched in the constitution the right of the Toronto Argonauts once every 10 years to participate in the Grey Cup. I have to tell you that in some moments in these discussions a note of levity isn't at all bad.

**Mr. Warner:** Once every 25 years.

**Hon. Mr. Davis:** Is that unfair? It gives Hamilton three years and it gives Ottawa three years.

**Mr. Nixon:** Is that your prayer breakfast speech?

**Hon. Mr. Davis:** My prayer breakfast speech? Have you been to them recently?

**Mr. Nixon:** Yes. It is always the Argos you are talking about.

**Hon. Mr. Davis:** Just because you happen to be a Tiger Cat fan and your colleague from Ottawa some other sort of fan, I can't help it. I have had a certain loyalty to that particular organization for some time.

I know the Leader of the Opposition is anxious to say how he would have solved the problems, but I have to go back to what I said at the outset, and the essence is there very simply. One can only presume in terms of the posture taken and the position stated that the opposition parties are in agreement with the points of view that have been expressed.

I rarely do this, and I am not really trying to look at the clock or preclude the Leader of the Opposition, because I understand my estimates are to be on for some five hours and on Friday next he will have a chance to review those things I have said and to re-write the script so that he won't say some of the things I had a sense he was going to say. Are you looking at Mr. Deeks there so he can rewrite the script?

Looking back at the discussions on my last estimates, particularly the remarks of the Leader of the Opposition but not so much at those of members of the New Democratic Party, he was very anxious to seize upon that opportunity in a very constructive, humble

and sensitive way to deal with some of the broader issues and the capacities of the Premier of this province to react to his responsibilities.

I recall it, and I am not here today in any way to bring into question his leadership capacities because that has not been my approach here in this House. I have a bit of fun because on occasion we have to.

I am going to touch on some of the other issues, not to prejudge some of the things that might be said, but to give a perspective I think is relevant in the context of a discussion of the estimates that I guess now have become opportunities for the Leader of the Opposition to cover matters on a much broader basis, rather than through the individual estimates of the individual ministries.

12:40 p.m.

If I were to go to Brampton, as I intend to at about 1:35 or whenever, the average citizens in my community are interested in Canada and they are interested in this debate, but they are also concerned about some of the day-to-day issues they are experiencing. I listened to some of the observations, read some of the speeches. I have sensed and I understand the role of the opposition. I don't expect the Leader of the Opposition to be gracious if he gets on today and say, "Mr. Premier, yes, we do agree with you and we think the position you took on the constitution and are taking is right." I know that would be hard to do, but I have to tell you that politically it never hurts. I have even given credits on my own to opposition people and have never been reluctant to do so. I guess that is my nature as distinct from others.

**Mr. Worton:** I don't think interest is high.

**Hon. Mr. Davis:** I would say to the distinguished member for Wellington South—I always say Guelph because that is where he tells me he is from—interest is high. I hope to be in his community in a few days. I will tell them what a great member they have, except he made a fundamental mistake early in his life, perhaps the only mistake he made.

**Mr. G. I. Miller:** We've got to make the system work, Mr. Premier.

**Hon. Mr. Davis:** I say to the member for Haldimand-Norfolk I appreciate what he said to me at the opening of Stelco. I appreciate the kind of thoughts he expressed because he is not the kind of man who would say that to me personally and not believe it and express it to his leader. I am sure he is that kind of person. I won't even quote him. I won't say what he said to me.



**Mr. Bradley:** Same old stock speech.

**Hon. Mr. Davis:** If the member for St. Catharines would just be patient, he will have an opportunity to participate in these estimates.

Interjections.

**Hon. Mr. Davis:** Mr. Chairman, I want to deal with some of the economic issues because they are central and crucial to me. The Leader of the Opposition is getting impatient. I don't get impatient. I listened to your diatribe last year; I didn't even interrupt very often. Here I am trying to be instructive, telling you as much as I can in a factual and interpretative sense on constitutional matters. I had really hoped, during the course of these estimates, we could have some meaningful discussion because they are important. I expect I may get it from some quarters. I may be wrong.

**Mr. Cassidy:** As long as you don't speak for five hours, we will have a chance.

**Hon. Mr. Davis:** No, seriously, I won't. As a service to the Leader of the Opposition I may consume the balance of the morning, but I can assure you when we next reach the estimates—

Interjections.

**Hon. Mr. Davis:** I keep track of time and I finished my discussions on the constitution at exactly 21 minutes to one. That is when I finished. I had two sections to my remarks. The one was important. I was trying to be helpful. I like to think perhaps some people opposite appreciated the observations being made. Perhaps not. I know the Leader of the Opposition is getting a little tired. I had a late night last night too.

**Mr. Worton:** Merry nights, sorrowful days.

**Hon. Mr. Davis:** The member from Guelph is speaking from far more personal experience than I am. My nights aren't always merry. They are busy, but they are not always merry.

I want to deal with some economic matters. Not only are they the issues for the average citizen of this province. I think to a certain extent some members opposite, as they see their responsibilities, have been creating a very negative point of view with respect to the economic vitality and the potential of this province. I understand the role. I understand the Leader of the Opposition loves to wander his way around this province having these meetings which his caucus share. They were overwhelmed with public response in terms of the hundreds of people who joined them at these discussions.

In fact, I am told they had to go out and hire so many other halls it was impossible to meet their budget. I understand that. We do it. That is part of the process and I respect it.

I also want to take issue with some of the things being enunciated. I see this province perhaps a little differently from the Leader of the Opposition. I don't see this province going downhill. I don't see the economic growth of the province being minimized. I do not see all the negatives that he sees and enunciates day after day, because what he is really saying, and I tell him this very kindly, is that the individual residents of this province do not have the intestinal fortitude, the creative abilities to deal with the economic challenges that confront them.

Certainly government has a responsibility, certainly government has a need to provide some help, some leadership, but you underestimate the capacity of Ontarians to come to grips with what is a changing economic environment.

We talk about energy, Mr. Chairman, and the Leader of the Opposition tends to neglect the significant impact that energy price increases have had, not only just in this province but right across the western world. Do you know why he does not mention it too often in his deliberations? Because he knows that he is firmly on the record as being in support of moving to world price, he knows that he is vulnerable.

But let's accept the reality that the increase in energy costs has been one of the reasons we have experienced some economic difficulties in this province. They are not long-term. We are in the process of adjusting. Look at the figures. The Minister of Industry and Tourism (Mr. Grossman) has said on many occasions, "You can all play with figures; you can always escalate; you can always interpret them to your own advantage, but one figure you cannot escape is that there are more people employed in this province at this moment than there were a year ago."

I am not going to debate the unemployment figures; I am not going to debate the difficulties in the automotive or manufacturing sector, but I listened, Mr. Chairman, to the Leader of the Opposition saying 90 per cent of this, et cetera. Perhaps the reality of the fact is that Ontario, if you are going to compare it to the other provinces of Canada, is the prime manufacturing sector.

If there is a recession in the automotive industry, it is not going to impact in Prince Edward Island in their figures; since the Bricklin, it is not going to impact in New

Brunswick; it is not going to impact in the manufacturing figures in Newfoundland; it is not going to impact in Manitoba, Saskatchewan, Alberta or British Columbia. When we have a downturn in the automotive industry, it is going to impact in terms of the statistics here in Ontario; and let's not fool people, let's not play with the figures, I would say to the member for St. Catharines, let's put them on the table, be thorough, objective, be realistic as you used to be when you were a reporter for that great network, whatever it was. Be objective. I plead to you, not to your leader, because you write his material—no, you don't, I am only teasing.

But I think it is important for us to understand—is the member for St. Catharines feeling uncomfortable?

**Mr. Bradley:** You could use another word instead of "teasing."

**Mr. Worton:** Titillating, I guess.

**Hon. Mr. Davis:** I do not know that I would use that word.

**Mr. Bradley:** Distorting, maybe.

**Hon. Mr. Davis:** Come on now, I say to the member for St. Catharines, he takes as much poetic licence as anyone else in this House, he really does. He takes a lot of poetic licence.

Interjection.

**Hon. Mr. Davis:** If you want me to go through it, I will get out all my notes—no, I won't.

**Mr. Chairman,** I think that when one looks at this whole question of the direction and the role of government, I come back to the question of what is the role of government, what is the role of the ministers of the crown?

We introduce certain programs, we have them debated here, and I just want to touch on the leader of the New Democratic Party for a minute because the leader of the Liberal Party is so vulnerable on this issue in northern Ontario that I hope you do not fall into the same trap. Not only does he not want to go back to Sault Ste. Marie, he won't want to go to Iroquois Falls, Espanola, you name it, after what he has said about the pulp and paper agreement and the disagreement that has emanated because of that.

The leader of the NDP brought in a report here the other day; I had not seen the report. I have not really had a chance to digest it thoroughly yet, but my information is that even the authors of the report have not finalized it, that certainly it has not been accepted by the commission. There is more

work to be done, and I would just ask the leader of the New Democratic Party, is that a proper thing to do, to come in here with a document that you really held out to me as being a finalized report, accepted by the commission, supported by the commission as to their assessment of the pulp and paper industry support?

12:50 p.m.

That is not my understanding and if I am wrong—I do not really want to think ill of you—I wish you would advise me that I am incorrect in what I have learned about the report since.

I have to tell you that this is one of those areas where government leadership through the incentives we are offering to the pulp and paper industry have provided job security. They have provided hundreds of millions of dollars by way of investment. I travel to many communities in the north—

**Mr. Cassidy:** If you believe that, then let the facts and figures be put in the Legislature. That is something the Minister of Industry and Tourism was not prepared to do today.

**Hon. Mr. Davis:** We are prepared to debate the facts and figures, but please let us not debate facts and figures that are not even part of a final report. That is all I am urging.

**Mr. Cassidy:** The report had been reviewed by people from the industry and by the federal ministry.

**Hon. Mr. Davis:** I think we should have a discussion on this. I am just giving you some advice. I am not dismissing it.

**Mr. Cassidy:** You are not going to dismiss your royal commissions either, but you have not got faith in them.

**Hon. Mr. Davis:** You have tried to create the impression in the House and with the public that this was a report accepted by the commission. Tell me that was not the impression you were trying to create. Are you agreeing with me or not?

**Mr. Cassidy:** Are you suggesting the commission was wrong to hire these people?

**Mr. Chairman,** on a point of order, this matter was raised in the Legislature today when the Premier was absent before his estimates began. The point we wanted to make very clearly was that, questions having been raised, we do not think government money should be spent needlessly.

We disagree with the position the Minister of Industry and Tourism seemed prepared to take, which is that moneys should go to



corporations whether they need it or not. I suggested that since the government is saying the corporations need it, then let the government table the basis on which it decided that money was needed. Unfortunately, the minister refused to do so. We do not think that is good enough. We think the government has a responsibility to protect the taxpayers when it is handing out \$95 million to that industry or \$68 million to some other industry or whatever it is it happens to be proposing.

**Mr. Chairman:** I do not believe that to be a point of order, but the Premier may wish to make a reply.

**Hon. Mr. Davis:** Mr. Chairman, we should not belabour this because I expect the Minister of Industry and Tourism and the leader of the New Democratic Party may come back to this on Tuesday or Thursday.

I am not being critical in that sense of the word, but you asked me a question. You based that question on a phrase that gave me the impression you were saying to the House that here is a report that had been accepted by and was supported by the royal commission.

**Mr. Cassidy:** Prepared for a royal commission.

**Hon. Mr. Davis:** I am not going to go back to Hansard; I am not going to belabour the point. All I am saying to you is that my understanding is that the report has not been accepted, that it is not completed, that it may or may not reflect something. I cannot make a judgement on this.

**Mr. Cassidy:** I suspect the government will be pressing for the report never to be made public in an official form.

**Hon. Mr. Davis:** I am just putting the other side of the coin. I will debate this with you anywhere in northern Ontario. I will debate it with the member for Welland-Thorold (Mr. Swart). Since he has been a member of the House, I have never seen him as embarrassed as he was the other day. You really cannot go around saying, "We oppose this policy in principle, but if there is money for that plant in my community, we want to have it." He knows they need it.

**Mr. Cassidy:** Are you prepared to table the justification for the grants or not? That is the question. Stop ducking the question.

**Hon. Mr. Davis:** I am delighted to have the debate centre on this. If you are not concerned about job security in the north, if you are not concerned about the development of

the economic base of the north, if you are not prepared to accept the fact that government policy has moved the pulp and paper industry ahead, is solving some of the environmental problems, will maintain our competitive position and give job opportunities that you would tend to ignore, then that is fine.

**Mr. Cassidy:** You're blushing again.

**Hon. Mr. Davis:** No, I am not; it is high blood pressure. What do you mean by I'm blushing again? I never blush.

**Mr. Cassidy:** You take the view that whether companies need it or not, money should be granted. That is where your government is wrong.

**Hon. Mr. Davis:** That is not true. Are you saying that about Chrysler?

**Mr. Warner:** Table the documents.

**Mr. Cassidy:** Yes. Table the documents.

**Hon. Mr. Davis:** Are you saying this about Chrysler?

**Mr. Cassidy:** You know what we said about Chrysler and your government finally agreed with us. They said that if there weren't job guarantees, they were not going to do it.

**Hon. Mr. Davis:** You try to play that issue both ways, depending on where you are. You try to play the Chrysler issue both ways. You know it and I know it. I understand the politics. Do you agree with what we did on Chrysler? Can you say that publicly and enthusiastically?

**Mr. Cassidy:** We urged you to do that and you finally came around.

**Hon. Mr. Davis:** Do you agree with what we did on Chrysler? I want it in the record.

**Mr. Cassidy:** As a matter of fact, yes.

**Hon. Mr. Davis:** Would the Hansard reporter make sure that is not lost. The leader of the New Democratic Party strongly endorses what the government of Ontario did for Chrysler of Canada.

Interjections.

**Hon. Mr. Davis:** Come on, let's not have any caveats. The fact is we now have you on the record—I wish the Minister of Industry and Tourism were here—as saying the government was right and supportive with respect to its actions at Chrysler Canada.

**Mr. Cassidy:** Stop putting words in my mouth and come back to the question of whether this government believes companies should get money, whether they need it or not, or whether you are prepared to be publicly accountable.

**Hon. Mr. Davis:** Mr. Chairman, I think any reading of Instant Hansard will show that in fact the leader of the New Democratic Party is now publicly saying yes, he agrees.

**Mr. Nixon:** This Hansard will be a collector's item.

**Hon. Mr. Davis:** It will indeed. Except you won't read it.

**Mr. Nixon:** Think of all the poor souls who may.

**Hon. Mr. Davis:** I may say it is better reading than some I know of.

**Mr. Chairman,** not dealing with the pulp and paper industry, but the incentives through the EDF, I know it rankles you people opposite because we are having success. I know it rankles when you see jobs being created because then you have nothing to criticize.

**Mr. Nixon:** That's not fair.

**Hon. Mr. Davis:** I would say to the honourable member, you're going to be raising Massey-Ferguson, I expect, progressively over the next few days.

**Mr. Nixon:** What are you going to do about it?

**Hon. Mr. Davis:** I would like to ask him right now, are you in favour of government support?

**Mr. Nixon:** In answer to the question, Mr. Chairman, with your permission, I definitely am. I put out a press release and sent a copy to the minister, who doesn't happen to be here today—he is too wise to sit here and subject himself to the kind of drivel we have had in the last 20 minutes.

**Hon. Mr. Davis:** I have had a great respect for the honourable member for some years, and I know that on occasion he issues the odd intemperate remark which, over the years, he sometimes regrets.

**Mr. Nixon:** I have never heard a Premier perform as ineffectually as you have today.

**Hon. Mr. Davis:** I can become very personal in my observations. I thought the contribution we were making on the constitution was really good stuff.

**Mr. Nixon:** Very good. That ended 20 minutes ago.

**Hon. Mr. Davis:** I know, but I have been interrupted by the leader of the New Democratic Party and by you.

**Mr. Nixon:** It is not all his fault.

**Hon. Mr. Davis:** No, it isn't, it is partially yours. Here I am trying to be helpful, trying to be constructive, and you keep interrupting me.

**Mr. Cassidy:** On a point of order, Mr. Chairman: Twenty-one minutes ago, the Premier said he was going to talk about the economic questions of the province. Up until this time he hasn't talked about the protection of workers affected by layoffs, he hasn't talked about the social and economic policies the government intends to propose. He has said there would be no fall election. Mr. Chairman, the Premier—

**The Deputy Chairman:** That is not a point of order. The Premier can speak on whatever he chooses.

**Hon. Mr. Davis:** Mr. Chairman, with respect, the leader of the New Democratic Party interrupted me when I was explaining what we were doing in the pulp and paper industry. I have 30 other items here, some of which I am coming to, but I also gave my commitment that I would finish by one o'clock and give the members opposite the opportunity when the estimates resume. Please don't tell me what I have not said. The member opposite could go through 30 items I haven't covered that I am prepared to cover, but I think it would be selfish on my part to take away time from the Leader of the Opposition or yourself, so please don't get up and tell me I am not touching on them.

**Mr. Chairman,** should I start on the next item on my list or not?

**The Deputy Chairman:** The Chairman would be pleased if you would move that the committee rise and report.

**Hon. Mr. Davis:** Mr. Chairman, I wish all members opposite a very happy Thanksgiving weekend.

**Mr. McClellan:** We've already had our turkey.

**Hon. Mr. Davis:** I would say to the honourable member, it takes one to know one. I hope you all have a pleasant weekend, enjoy your Ontario-produced turkey and we will see you here Tuesday.

On motion by Hon. Mr. Davis, the committee of supply reported a certain resolution.

The House adjourned at 1 p.m.



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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, October 14, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, OCTOBER 14, 1980

The House met at 2 p.m.

Prayers.

## STATEMENTS BY THE MINISTRY

### PLANT CLOSURES AND TERMINATION ENTITLEMENTS

**Hon. Mr. Elgie:** Mr. Speaker, I wish to make a statement concerning the government's position on the important and complex issue of plant closures and layoffs, an issue that has received considerable public attention in recent weeks and has been the subject of much intensive study within the government.

May I begin by saying that in outlining these proposals I do not intend to get into a statistical battle with my friends opposite. I could point out that some of their figures relating to the number of closures and the number of employees permanently affected do not give an accurate picture of the nature and extent of the problem. I could also point out that in relative and aggregate terms, the problems facing Ontario workers in October 1980 are not dramatically different from those in previous years.

However, I do not want to be in the false position of attempting to justify human hardship on the basis of quantitative or statistical analysis. Whatever set of figures one may use, the fact remains many persons in Ontario have had their employment terminated in recent months as a result of full or partial plant closures and we have an obligation to devise practical, equitable and affordable ways of alleviating the resulting human hardship.

I think it was recognized in last week's debate that these are concerns that transcend partisan considerations and should be given the highest priority by this Legislature. At the same time, we must avoid sending out false signals to our citizens, to potential investors and to our trading partners. As the Treasurer (Mr. F. S. Miller) has indicated, Ontario has a vigorous and resilient industrial base. We are rich in resources, both natural and human, and we have every reason for confidence in the future. We must continue

to project the confidence and buoyancy that those undeniable facts justify, otherwise we run the risk of undermining the confidence that others have in us and upon which our prosperity depends.

Having said that, we would be ignoring reality if we failed to acknowledge that Ontario, along with most other western industrialized jurisdictions, is experiencing the adverse effects of a recession as well as certain structural economic changes of a longer-term significance.

To respond to the labour adjustment problems caused by these factors, the government is proposing a five-point program.

My colleague the Minister of Consumer and Commercial Relations (Mr. Drea) will shortly be introducing amendments to the Pension Benefits Act to address certain immediate problems highlighted by recent events. For example, we believe that when a plant closes, long-service employees within a few years of early retirement should not be deprived of the opportunity to receive a pension when they reach early retirement age, even though their pension plan has been terminated. We also believe that upon termination of a pension plan, employees should have certain options in relation to their statute-vested rights, including the option, under appropriate circumstances, to transfer their statute-vested benefits to the plan of their new employer. We also believe there is need for a centrally administered fund to guarantee pension rights under the statute in those instances where terminating plans are not fully funded.

The amendments to the Pension Benefits Act that will be proposed will focus on problems associated with early cessation of plans. As members know, the royal commission on pensions is completing what will be the most exhaustive and intensive study of pensions ever undertaken in Canada, and it is expected that the commission will report by the end of this year. The amendments I have described will provide protection for employees until the government has had an opportunity to consider the recommendations of the royal commission's comprehensive report regarding this critical and complex subject.

The second matter relates to termination entitlement. Ontario now has termination notice provisions that provide protection for Ontario workers comparable to or better than that provided in most North American and European jurisdictions. Although our Employment Standards Act provides for notice, or pay in lieu thereof, there is not statutory provision for severance pay as such in the event of a plant closure. Many collective bargaining agreements contain severance pay provisions, and severance pay schemes are not uncommon in the unorganized sector. However, legislated severance pay is extremely rare in North America. We are not opposed to severance pay as a matter of principle. However, there are certain practical ramifications regarding any severance pay proposal which require careful analysis.

For example, how should severance pay requirements relate to existing statutory obligations to provide pay in lieu of notice? Is severance pay to be in addition to pay in lieu of notice or should one be set off against the other, in whole or in part? If severance pay entitlement is to be related to seniority, should minimum service requirements be established before entitlement arises? Should there be a ceiling on entitlement? How, if at all, should severance pay relate to unemployment insurance entitlement? Should severance pay apply to partial as well as complete closures and if so, how should partial closure be defined? Should businesses employing fewer than a certain number of employees be exempt from severance pay requirements?

**Mr. McClellan:** We can ask the questions. Give us the answers.

**Hon. Mr. Elgie:** We are concerned about small business and that is what this particular point I am raising is all about. The members on that side may not be, but we are.

Should any statutory scheme for severance pay apply to managerial as well as non-managerial employees? How should statutory severance pay affect severance entitlement negotiated under a collective agreement? What validity is there in the contention that severance pay could operate as a disincentive to re-employment?

2:10 p.m.

I hope it is apparent from these questions that the severance pay issue is a complex one, that the design features of any statutory severance pay plan must be carefully considered, and that the ramifications of a legis-

lative initiative in this area are important for employees and employers alike. In considering the matter, I want to avoid simplistic, quick-fix solutions and, in addition, I want to make sure I have the benefit of the best advice available from both labour and management.

That necessary consultative process has already begun. As well, there has been an indication from some members that severance pay, as well as the related question of the adequacy of existing termination notice requirements and perhaps some other matters having to do with plant closures, should be considered by a committee of the Legislature. I have no objection to this and indeed it might assist in addressing some of the difficult questions I have posed regarding severance pay in particular.

The third proposal deals with fringe benefits. Under the existing provisions of the Employment Standards Act, pay in lieu of notice in the event of termination does not encompass fringe benefits. In several recent plant closures, employees lost pension benefits and medical coverage to which they otherwise would have been entitled. The problem is particularly acute where an employee would have qualified for an early retirement pension had he been permitted to work out the notice period. A similar hardship occurs where, by virtue of immediate termination, an employee is prevented from attaining service requirements for the vesting of pension benefits.

To rectify this situation, I will be proposing amendments to the Employment Standards Act to provide that employees shall be paid the fringe benefit payments to which they otherwise would have been entitled as part of pay in lieu of notice. In addition, the amendments will deem employees to have worked the notice period for the purpose of computing their entitlement to service-related benefits other than pensions. Pension benefits will be similarly protected by amendments to the Pension Benefits Act.

The fourth proposal involves a further amendment to the Employment Standards Act. As members know, manpower adjustment committees are now established on a voluntary basis with the Ministry of Labour co-sponsoring the committees with Canada Employment and Immigration. The costs of the committees are shared by the two governments and the employer. The committees have had considerable success in assisting displaced employees in finding alternative employment. However, in the past, some employers have refused to participate in those



committees. Accordingly, I will be introducing an amendment to the Employment Standards Act that will give the Minister of Labour specific authority to require employers to participate in and contribute to the funding of manpower adjustment committees.

The fifth proposal complements the one to which I have just referred. Manpower adjustment committees deal primarily with the narrow but important question of immediate placement of workers in alternative employment. There are a number of other issues which arise when notice of a plant closure is received and various ministries of government have capabilities which, under appropriate arrangements, can be quickly mobilized and effectively utilized.

Within the next several weeks, I will be announcing the details of a new co-ordinated interministerial response mechanism for dealing with plant closures and layoffs. A senior adviser/co-ordinator with extensive experience in business and industrial relations will be appointed to act on my behalf. He will organize and direct regional interministerial field task teams composed of representatives from the ministries of Labour, Industry and Tourism, Education, Community and Social Services, and Intergovernmental Affairs. The process I envisage will have three phases.

First, on receipt of information concerning an impending closure, the co-ordinator will make immediate contact with management and with the employees or their representatives to obtain all pertinent information in order to assess the possibility of maintaining the operation.

Second, if the closure decision stands, the co-ordinator, in conjunction with the Ministry of Labour mediation staff, will attempt to resolve any disagreements respecting termination rights and benefits arising from the closure.

Finally, the co-ordinator will be responsible for the deployment of the regional interministerial team. That team, equipped to provide career counselling, skill assessment, information on available training programs and related matters, will work in a supportive and complementary role with the manpower adjustment committee.

An important input to the team's work will be the assistance of the Ministry of Industry and Tourism in determining the region's economic prospects and mid- and long-term alternative employment opportunities. At the same time, the Ministry of Intergovernmental Affairs, as a member of the team, will be

evaluating the impact of the closure on the financial ramifications for the affected municipality. Where appropriate, recommendations will be developed for assistance. The Ministry of Community and Social Services' representative on the team will respond to special needs related to social assistance and rehabilitation.

Mr. Speaker, I should also like to refer to the important issue of skills training. Although this issue does not directly relate to plant closures, I think most members would agree that in the long term we cannot ensure continued growth or the investment needed to fuel our industrial sector unless a better job is done in training skilled workers. The manpower commission, which was appointed a year ago, has concluded that the industrial sector in Ontario has fallen short in meeting its responsibilities in this area. Unless effective action is taken, critical skills shortages will continue to grow. Therefore, in the near future, during this session, I shall be announcing initiatives in this area as well.

I believe the proposals I have outlined today address the essential concerns in the community in a humane and responsible manner. It is my sincere hope they can be implemented with the least possible delay.

## NEW HEALTH PROGRAMS

**Hon. Mr. Timbrell:** Mr. Speaker, I would like to outline for the honourable members my ministry's plans for the introduction of legislation during the next few months.

As the honourable members are aware, my ministry has been developing several initiatives to strengthen the public health sector of the health care system. Prevention, through public health programs, is of vital importance in slowing the rapidly increasing costs of health care in our province.

To provide local public health units with the tools to improve the quality of public health programs, we have been following a three-part strategy.

First, we have taken the lead in setting up a voluntary system of accreditation for public health units. A field trial will be conducted in three public health units this fall as a step towards this important goal.

The second part of our strategy is to strengthen public health research and development. Last year, \$1 million was set aside for this purpose.

The third element of our public health strategy is to complete development of a core package of public health services, a core group of services that will be common to all

health units and departments across the province.

For several months now, we have been consulting with public health officials all over Ontario to develop this package of core programs. They will be embedded in a new Health Protection Act, which I plan to introduce next spring to replace the existing Public Health Act. A white paper covering these programs will be released this fall for comment by our public health units and others in the health system.

The core programs are being looked at under six broad categories. These include immunization, preventive dentistry, environmental sanitation, family health, home accident prevention and nutrition.

My ministry has also been working on new legislation to strengthen the provisions covering the operation of X-ray equipment. Earlier this year, the advisory committee on radiology submitted its report to me and I announced at that time that I accepted, in principle, the committee's recommendations. The proposed Healing Arts Radiation Protection Act will include these recommendations and will replace legislation covered now in part by the existing Public Health Act.

The honourable members will recall that the committee's recommendations included the establishment of a healing arts radiation protection agency to oversee and to co-ordinate an X-ray safety program for Ontario. The report also recommended that new legislation be introduced requiring a safety code for all X-ray facilities and equipment, as well as registration of all facilities. It recommended that mandatory peer-review programs be established for all groups of operators.

The committee's report has been widely circulated and comments have been received from major interest groups as well as individual practitioners. Although a few specific concerns were expressed—primarily relating to consultation on the composition of the proposed healing arts radiation protection agency and to the costs of implementing the program—all agreed with the principles set forth in the report and with the thrust of the recommendations. We are making final changes to accommodate such concerns, and I expect to introduce this legislation within the next few weeks.

Finally, Mr. Speaker, later today I will introduce amendments to the Chiropody Act that will provide the legislative framework for developing improved foot care services for the people of Ontario. The need for more foot care services has been emphasized, and

a chiropody model recommended, by the Ontario Council of Health Report on Health Care for the Aged, the Ontario Advisory Council on Senior Citizens and the Social Planning Council of Metropolitan Toronto.

As the honourable members will recall, last March I announced our intention to develop an enhanced foot care program based on the salaried chiropody model while, at the same time, preserving the ability of this province's podiatrists, who are registered under the existing Chiropody Act, to provide foot care on a fee-for-service basis.

2:20 p.m.

In my statement to this House last March, I outlined the steps we proposed to take, in conjunction with the Ministry of Colleges and Universities, in setting up courses to train chiropodists in Ontario. I am pleased to advise the honourable members today that the first courses are to begin in the fall of 1981 and that they will be the result of a joint effort by George Brown College and the Toronto Institute of Medical Technology.

In fact, a team from my ministry, the Ministry of Colleges and Universities and these institutions will shortly be visiting the United Kingdom. Their objective will be to obtain the co-operation of schools of chiropody there in developing a program for Ontario, based on the British model, which involves a three-year program. The Ontario program will probably also be of three years' duration, depending on how we adapt the British curriculum to our system.

However, we do not intend to wait until the first chiropodists graduate from the community college course. As a pilot project, six registered nurses will be given an intensive six-month course in chiropody at Toronto General Hospital beginning in January 1981. We will be paying the cost of the course, and the nurses' salaries will be jointly covered by my ministry and their current employers.

After completion of the course, it is planned that these registered nurses will teach registered nursing assistants the principles of foot care hygiene in courses of three to four weeks' duration, beginning later in 1981. After assessment of this pilot project, we hope to be able to make this program available province-wide. These moves would provide an expansion of foot care services on the chiropody model within about one year's time with, of course, further expansion as graduates of the community college course become available in 1983 or 1984.

Two amendments to the act are proposed. The first will increase the lay membership of



the board of regents appointed under the Chiropractic Act. The second amendment will give the Lieutenant Governor in Council the authority to make regulations under the act in line with the authority already established under the Health Disciplines Act.

A regulation will be proposed to recognize chiropractors registered in the United Kingdom so that such practitioners may be recruited to teach and to work in our hospitals. A further regulation will recognize eventual graduates of the Ontario program.

I am confident that the steps we are taking will greatly enhance the level of foot care for our citizens over the next few years. These proposed changes in legislation demonstrate our intention to continue to make the alterations in our health care system necessary to ensure that Ontarians receive health services at least equal to those anywhere else in the world.

## ORAL QUESTIONS

### PLANT CLOSURES AND TERMINATION ENTITLEMENTS

**Mr. S. Smith:** Mr. Speaker, a question for the Minister of Labour: Why has the minister come in with this inadequate statement after a full summer to ponder the matter, a statement in which he has proposed only a few small changes in pension falling far short of genuine portability, a committee and a co-ordinator?

Could the minister specifically say why he will not take the step to legislate severance pay in Ontario when his own negotiators were quite prepared to negotiate severance pay during the Houdaille occupation? Why should it be necessary for plants to be occupied by workers to get the Ministry of Labour to help the workers obtain severance pay? Why can't it be part of a law of Ontario?

**Hon. Mr. Elgie:** Mr. Speaker, the Leader of the Opposition may consider that the proposals I have made today are not important but I have to tell him I think they are responsible and appropriate.

The honourable member has said, "Why don't the amendments with regard to the Pension Benefits Act propose true portability?" He knows very well that until the pension program in general is overhauled so that all pensions are of the same kind and funding is at standard levels, portability is not always possible.

The proposal the minister will bring in not only will involve transfer of pension rights to new employers' plans where it is

appropriate, but will also give the option of converting the funds into a noncommutable annuity which is indeed the best true portability that can be achieved pending full review of the legislation. So I think it is quite inaccurate and inappropriate to suggest that it is not true portability. It is within the context of the existing legislation.

The overall issues will be addressed once the Haley report is in. The honourable member knows that quite well. I do not agree with him that the remaining points are tiny ones. They are points that I, personally, have noted when in discussions with companies and trade unions during closures. Sure, our mediators have been able to negotiate severance pay, but I say to the honourable member, and I am sure he must have thought of this himself, it is strange that he and I may attach such importance to severance—and I do as a matter of fact—yet when we look at the statistics we find only 28.4 per cent of negotiated contracts have severance provisions in them.

I think it is fair to say that in the 1970s there were those who didn't agree that severance pay should be paramount or foremost in the minds of negotiators. I am simply saying to the honourable members and the House that there are a lot of problems related to severance pay that should be discussed in a committee. I know the honourable member has asked for a committee, one that would go much further and would explore employee-employer relations, which I think is a strange thing to be saying in a province where I think we have a remarkably stable labour relations climate and one that is the envy of most provinces and most countries.

**Mr. S. Smith:** By way of supplementary, Mr. Speaker: Since the committee we have asked for has to deal with a means of determining how plant closures can best be justified to the community, and since it does appear that the minister has suggested there be a certain co-ordinator who would, according to the information in the statement, get all pertinent information, do I take it that the co-ordinator will have the right to subpoena the books of the company that is closing down to see whether the company is genuinely profitable or unprofitable, and whether there have been transfers out of the company of machinery or other lines which would make the company seem unprofitable?

I take it the co-ordinator will have the right to have the books of that company opened and examined. If not, what is the

use of having a co-ordinator and what means of justification will the community have?

**Hon. Mr. Elgie:** First of all, Mr. Speaker, I think when the honourable member sits down and thinks about it, he will agree that the role of a co-ordinator, and the type of person I am talking about and referred to in the statement, will serve a very valuable role and will provide a great deal of background information to the problem of plant closures.

I know the honourable member is very interested and anxious to have mandatory justification. He is anxious that individuals, partners and corporations, be they Canadians or foreigners, should be told on occasion, "You can't shut down." He would take away the right to close down, whether it be from an individual, a partner or a corporation. I understand that is what the honourable member is driving at, but I have to tell him that isn't the law in any province or state that I know of in North America and I doubt it would be considered acceptable to most members of this House.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Before the minister allows the problem of plant shutdowns to be smothered in 19 pages of words, which he has tried to do today, can I ask him specifically whether the companies will be made to justify their shutdowns to the workers and to the communities concerned, or will they be able to walk away from a community as Houdaille did in Oshawa or as Tung-Sol did in Bramalea without a word of explanation about why they were leaving the community and abandoning their responsibilities to communities where they had operated for years?

**Hon. Mr. Elgie:** As usual, Mr. Speaker, the member chose to attack what I have said today, and the volume and quality of it, when that really should not have been the issue, and I resent it. If the honourable member wants to get down to the real issues, the matters I raised, I think we are offering tangible, appropriate and important contributions to the problem facing this province today with regard to plant shutdowns.

**Mr. S. Smith:** Supplementary, Mr. Speaker: How does the minister justify putting on page 15 that this co-ordinator will make immediate contact with management and so on to obtain all pertinent information in order to assess the possibility of maintaining the operation? What kind of pertinent information will he obtain if he can't have a look at the books of the company to see whether the reason the company is being closed is a justifiable reason or not?

**Hon. Mr. Elgie:** Mr. Speaker, I think it is pretty clear what sort of request we will be placing in the hands of a co-ordinator. It will be to do just what it says here, "to request and require all pertinent information in order to assess the possibility of maintaining the operation." It is pretty clear.

**Mr. Martel:** Mr. Speaker, with respect to the committee the minister is going to appoint, is that going to be a select committee? Is that committee going to have the power to look into shutdowns in Ontario to determine what is causing people to move away and leave people high and dry, or is it just going to look at severance pay? In other words, is this committee going to look at the reasons plants are bailing out?

**Hon. Mr. Elgie:** Mr. Speaker, as the member knows, House leaders will be negotiating the nature and the terms of reference of the committee, but I have said quite clearly that I would be pleased if the committee reviewed not only severance pay but termination provisions and other matters related to plant closures.

2:30 p.m.

#### BROWNING-FERRIS INDUSTRIES DISPUTE

**Mr. S. Smith:** Mr. Speaker, I have a separate question on another matter to the Minister of Labour: Is the minister familiar with the fact that there is a strike going on at Browning-Ferris Industries at the so-called recycling plant in the Downsview area in Toronto? Is he aware that after certification, the union is seeking its first contract and that the company has insisted on a very broad management rights clause and given no grievance procedure with the exception of termination or suspension? They can do anything else they like to the union member, with no grievance procedure whatsoever.

Under those circumstances, and given the fact that that particular company is operating on behalf of the Ministry of the Environment in very close proximity to the ministry, so that the ministry has to approve any of its major expenditures and so on, how can the minister justify being associated with a company that plainly is attempting either to make it impossible to get a first contract or to provide a first contract which, in effect, will be void and missing any of the usual protections we can expect in 1980?

**Hon. Mr. Elgie:** Mr. Speaker, I do not have information about that particular plant available to me at the moment. I may say



that to suggest any collective agreement could be without a grievance process is quite incredible, since by legislation there has to be—and by Bill 25 there has to be—an alternative available to people, regardless of the grievance procedure that may be agreed to by the two parties.

I cannot accept it when the Leader of the Opposition says an agreement has been negotiated without it. Failure to agree to such a thing clearly is an unfair labour practice and it is a matter the board could deal with. Should that be the case, I am sure one of the parties will bring such an application.

**Mr. S. Smith:** By way of supplementary, Mr. Speaker: The grievance procedure suggested by the company exists only in the case of termination or suspension. It does not apply to any reclassification of work, change in working conditions, transfer and other such matters.

In the presence of a very broad management rights clause, it is obvious there should be some change in that regard. I am asking the minister if he would look into it, especially in view of the fact that Browning-Ferris Industries is basically working very closely with and on behalf of the Ministry of the Environment in this regard. Surely the government should show some leadership and inform Browning-Ferris Industries that this is not Texas. It is Ontario and the year is 1980.

**Hon. Mr. Elgie:** Mr. Speaker, I will be pleased to review the negotiations at Browning-Ferris Industries. I may say the government does act responsibly in dealing with negotiations in this province. I do not know anybody who looks at it objectively who would say otherwise.

#### PLANT CLOSURES AND TERMINATION ENTITLEMENTS

**Mr. Cassidy:** Mr. Speaker, I have a question for the Minister of Labour arising out of his statement to the House a few minutes ago. The statement says the government is not opposed to severance pay as a matter of principle, but fails to say whether the government is in favour of severance pay as a matter of principle and, therefore, undertakes to bring in legislation to provide for severance pay in Ontario.

Is the government in favour of severance pay as a matter of principle when workers are laid off or plants are shut down? Will the Minister of Labour undertake on behalf of the government that there will be legislation

to provide that protection of severance pay to workers affected by shutdowns?

**Hon. Mr. Elgie:** Mr. Speaker, I think the statement says what the government means. As a matter of principle, we are not opposed to severance pay. Clearly, in negotiations severance pay is an issue—not in all negotiations.

I do not think the leader of the New Democratic Party would want me to deprive the committee that will probably come to be out of the negotiations that are taking place, of the opportunity of reviewing the problems and the questions I have raised. I am sure it will have others to raise.

At this stage I would have to say the government is not prepared to make that commitment.

**Mr. Cassidy:** Supplementary, Mr. Speaker: The Minister of Labour refuses to make a commitment and then he turns around to blame trade unionists for not having negotiated severance pay in the contracts they negotiated over the course of the last 10 years. Given that two thirds of the workers in Ontario are not in organized work situations, can the minister explain how those workers could have negotiated severance pay over the course of the last 10 years? Given that some other workers who have unions do not have the bargaining power to get that kind of provision, and therefore do not have it either, why does the minister insist on blaming workers, when most of the workers affected were not in a position to negotiate severance pay? Why can we not have the commitment in principle now that the government this session will bring in legislation to provide for severance pay for workers in Ontario?

**Hon. Mr. Elgie:** Let me reiterate that I am not criticizing workers. I agree with Doug Fraser when he says it is difficult to put severance on the table when there are other matters and money up front to be dealt with and negotiated for. I am just saying that is a fact of life.

I have clearly enunciated the government's position in my statement and in my previous answer to the member. We are not opposed to severance as a matter of principle. We look forward to my personal discussions with labour and management over the issue, and to the deliberations of the committee on the issues before us.

**Mr. Van Horne:** Mr. Speaker, given what we would all agree is considerable urgency in this matter, and given the rather unclear answer to the question put to the minister

by the member for Sudbury East (Mr. Martel), could he use his influence with the members here on my left and the House leaders to see that we proceed with this committee debate? We will be giving up our time for the Ministry of Labour estimates which are due to come forward within the next week. This is so that we can get this on the rails right away rather than leaving it in a sort of limbo as he is suggesting.

**Hon. Mr. Elgie:** In a word, Mr. Speaker, if the third party would agree to that, the answer is yes.

**Mr. Samis:** Supplementary, Mr. Speaker: Could the minister tell the House whether any of the changes he is proposing will be retroactive and whether they will apply to the 185 workers in my riding being laid off at the end of November?

**Hon. Mr. Elgie:** Mr. Speaker, the member knows full well the difficulties there are with retroactive legislation. Where does one draw the line? What is the new plateau? I cannot give him that commitment.

But with regard to the Cornwall closure he is talking about, I am still investigating that. Today I have asked my staff to have the management come to see me next week and I expect I will be talking to members of the union shortly as well.

**Mr. Cassidy:** In view of the fact that by Ontario's own statistics 46,000 workers have been permanently or indefinitely laid off in Ontario over the course of the last 12 or 13 months, when will the minister undertake to bring in the limited amount of legislation that has been promised here? When will he undertake to bring in severance pay legislation which those workers need to be protected and which they cannot wait for until next year or the year after that?

**Hon. Mr. Elgie:** Once again we have different figures being used. I do not want to get into the position of having to criticize the leader of the third party for the figures he chooses, but he knows very well those are not the figures this ministry accepts. This year, up to the end of September, on indefinite layoffs there are some 16,807. We all know these are related to the auto industry. Permanent layoffs as a result of complete closures are 7,390; partial closures, 1,233. These figures are not vastly different from those of other years. So let us not get the thing out of perspective.

What we are really talking about this year is an increase in the number of indefinite layoffs related to the auto industry,

and we all have great hopes that is starting to turn around.

**Mr. Cassidy:** I will not comment on the layoff of 600 Chrysler workers that was announced this weekend and which the minister has not included in his figures.

## DAY CARE

**Mr. Cassidy:** I have a new question of the Minister of Community and Social Services arising out of the inaccuracies that he used in the Legislature last week when talking about day care in Ottawa. Will the minister acknowledge that he made charges about provincial subsidies being given to high-income families in relation to day care in Ottawa-Carleton last spring, and those charges were proved to be without substance in the spring just as they are without substance now? Will the minister acknowledge his error? Will he start to concentrate on the need for day care, which amounts to more than 1,000 people on the waiting list in Ottawa and thousands more in Metropolitan Toronto? Will he promise action rather than words and misleading comments in the Legislature?

**Hon. Mr. Norton:** Mr. Speaker, I welcome this opportunity the leader of the third party has provided me with to reaffirm the accuracy of both my statements last spring and my more recent ones. I would point out to the honourable member that following the time of my drawing this to the attention of the Legislature in an exchange with him last spring, I was invited to go on one of the Ottawa morning radio programs with a member of the social services committee for Ottawa-Carleton. During the course of that discussion on the radio program he said, "I acknowledge that the minister is accurate. I acknowledge that we did not realize this prior to this time. We do not know how many high-income families are being subsidized as a result of our ceilings but we will look into it."

2:40 p.m.

I will further point out to the honourable member that I understand there is a report being presented to the Ottawa-Carleton council this afternoon, in a meeting as a result of a request from the council, which I suggest will confirm the accuracy of what I have just said. I expect to be in receipt of such report tomorrow.

**Mr. Cassidy:** A supplementary: Last spring I understand the minister alleged that Maureen McTeer was receiving a subsidy from provincial sources and then the minister



had to withdraw that because her child was not in a day care centre that uses provincial subsidies. The minister said on Friday, "The municipality is channelling provincial money into subsidies to families which can well afford to pay their own way."

**Mr. Speaker:** Do you have a question?

**Mr. Cassidy:** Is the minister not aware there is not a penny of provincial subsidy going to any full-fee parent in a municipal day care centre—and these were the people the minister was referring to—and does the minister not agree that when he makes unfounded allegations of this nature it tends to bring down the image of day care, when his responsibility as minister responsible for day care in Ontario should be to ensure that day care is universally accessible right across the province?

**Hon. Mr. Norton:** Mr. Speaker, the honourable member's understanding of a subsidy and my understanding of a subsidy may be two different things. I am not sure, but I would ask him how he would describe this: If in fact the per diem cost to provide day care for a child in one of the municipal centres is \$17 or \$18 a day but the maximum the municipality will permit a full paying parent to pay is \$12.50, what would he call the difference between \$12.50 and \$18? Is that not a subsidy? In my opinion that is a subsidy.

Let me give another example and this is referring to a specific centre in the member's municipality: If the full per diem cost is \$31 a day for infant day care—the average, I think he will find in this afternoon's report, is even higher than that, but let's take the \$31 example—but the ceiling the municipality has established is \$17, that \$14 difference I would call a subsidy. I don't know what the member would call it, but it is \$14 of provincial and municipal money on 80-20 cost sharing which is flowed to that centre in order to assist.

**Ms. Gigantes:** No, it is not.

**Hon. Mr. Norton:** Yes, it is.

**Mr. S. Smith:** Supplementary, Mr. Speaker: Could the minister confirm this cost sharing matter? Is it true that of the \$171,000 his ministry has promised in Ottawa-Carleton the provincial government is cost sharing only the first \$50,000 and the rest is federal money? If that is not true, would he please give us the accurate figures?

**Hon. Mr. Norton:** Mr. Speaker, the arrangement made with Ottawa-Carleton is precisely the same as was made with Metro-

politan Toronto under similar circumstances. It is true that in the case of Ottawa-Carleton we did agree to cost share the first \$51,000 or \$52,000 on an 80-20 basis because of the circumstances under which that portion of their overrun arose.

Because of the fact that the balance related to additional spaces that appeared as a result of their own administrative difficulties which had arisen, we agreed to cost share it on a 50-50 basis. I would point out that it was made clear both to Metropolitan Toronto and to Ottawa-Carleton that it would not be solely federal money that was passed through, but we are working out the cost sharing so that the provincial portion of that subsidy is also passed through.

Nevertheless, out of the total, the municipality will be required to contribute 50 per cent in both cases. It does not contribute to a growth in their base, but allows them to work out of an administratively difficult situation they will find themselves in by the end of this fiscal year.

**Ms. Gigantes:** Supplementary, Mr. Speaker: I would like to ask the minister if he would tell the House that of the 3,400 spaces in Ottawa-Carleton day care centres the per diem is greater than \$30 for only 44 infants, and of those 44 infants, only 13 have parents who don't qualify for a subsidy according to his regulations—13 of 3,400 or approximately 0.004 per cent. Would he like to acknowledge those facts and withdraw his unwarranted attack on the priorities assigned to day care services in Ottawa-Carleton?

**Hon. Mr. Norton:** Mr. Speaker, I cannot confirm that off the top of my head. Perhaps the member has an advance copy of the report that was being presented to the council today. I don't happen to have, although I do have figures that would indicate, for example, in the one centre everyone is subsidized, regardless of what he or she is able to pay, by a minimum of \$14. I think the member will find, when she sees a copy of the report that is being presented today by the social services department in Ottawa, that perhaps her figures are inaccurate.

## HOSPITAL BEDS

**Mr. Kerrio:** Mr. Speaker, I have a question of the Minister of Health. Is the minister aware of the comments made by the chief of staff at the Greater Niagara General Hospital that bed shortage is so acute at his hospital that physicians fear for the quality of patient care? Is he aware that in our local

paper, Friday last, there were such comments as: "Will someone have to die before action is taken?" and "Patients are being held on stretchers in the emergency department because there are no available active treatment beds to put them in"? Such comments made by the chief of staff certainly are of grave concern to me, and I wonder how the minister might react to the comments made in our local paper.

**Hon. Mr. Timbrell:** Mr. Speaker, to the best of my knowledge neither the hospital nor the chief of staff has drawn those concerns to my attention. I would be prepared, though, to send in a team to do an analysis of the bed utilization, to analyse the elective admissions and that sort of thing, to see if we can help them. I cannot recall that either the hospital or the health council has recommended additional beds in that area. If there is something we can do, first, to analyse how the existing beds are being utilized and, second, to address the longer-term problem, we will be glad to do so.

**Mr. Kerrio:** In view of the concern expressed by Dr. Nicholas Pohran, chief of staff, and in view of the fact that there are more beds to be closed in December, I wonder if the minister would delay the proposal to close additional beds in December until such an investigation is made and possibly keep those beds open.

**Hon. Mr. Timbrell:** I am not aware of any intention to close beds in December. To my knowledge, nobody in the ministry has indicated that. We have not ordered any bed closures for several years now; so I will check into that. If the honourable member would send the details to me, it would be helpful. I think, as in many other communities, we have to look first of all at how the existing beds are being utilized, because quite often we find that either the length of stay is inappropriate or perhaps people are being admitted for things that could be done on an outpatient basis and, thus, free those beds.

**Mr. Haggerty:** Supplementary, Mr. Speaker: The minister indicated he was going to send in a field of experts to look into this particular area. Would he include the extended care services and the chronic care services in all of the Niagara Peninsula, for which facilities there is a desperate need?

**Hon. Mr. Timbrell:** I will check on the date, but I believe that the Niagara Region District Health Council has a review under way. I am not quite sure at this point

where it stands on extended care and chronic needs for the future. I would remind the member that in the last 18 months we did approve a significant addition of chronic beds at Welland County General Hospital. In other areas where the studies have been completed and the needs have been verified, we have been regularly adding chronic beds and nursing home beds.

**Mr. Breaugh:** Mr. Speaker, I would like to ask the minister if he is approving the growing practice of leaving patients on stretchers overnight. The occasion in Niagara Falls is part of a pattern that is showing up across the province now of an increased incidence of patients being left on stretchers in corridors overnight. Is it the position of his ministry that this is an acceptable type of care?

**Hon. Mr. Timbrell:** It is certainly preferable to turning away somebody who, it is felt, needs at least supervision or perhaps admission for testing. By and large, where the needs studies are being completed, we are able to move to relieve pressures. But that is certainly preferable to turning people away.

**2:50 p.m.**

**Mr. Nixon:** Mr. Speaker, in the agreements undertaken by the ministry in the Niagara Peninsula and elsewhere, where chronic beds are designed and new structures are built to receive chronic beds to replace active treatment beds, and the hospitals agree with the ministry to have new X-ray equipment, new emergency equipment and holding beds put in, how can the minister justify going forward with one step, the step that he likes, which is putting in the chronic beds, and then postponing the alterations to the hospital under consideration, as in the instance of the Willett Hospital in the Niagara Peninsula near Paris?

**Hon. Mr. Timbrell:** The honourable member is stretching it a bit to say the Willett Hospital is in the Niagara Peninsula but, if the Speaker didn't notice, I won't notice.

**Mr. Speaker:** He said the Niagara Peninsula and elsewhere.

**Hon. Mr. Timbrell:** The honourable member will appreciate that, especially when we are dealing with a broad area like Brant county, involving five institutions all told, it is not possible to do everything at once. In the case of that county, St. Joseph's Hospital agreed to close out its emergency which moved over to the Brantford General Hospital. That is well under way. The Brant Sanatorium agreed to give up some beds



and move them over. In the case of the Willett—

**Mr. Nixon:** It gets the short end again.

**Hon. Mr. Timbrell:** Mr. Speaker, with respect, as I recall the agreement—which I do not have here, but I will undertake to look at it; it is a number of months old now—it was agreed that this would be staged. In fact, what we have budgeted in terms of capital—this was in the agreement; I could be mistaken, and I will check this—what we have budgeted is \$200,000 this year \$225,000 next year and \$975,000 in 1982-83, to give effect to the phasing or the staging of what was agreed upon.

### WAGES IN SHELTERED WORKSHOPS

**Mr. McClellan:** Mr. Speaker, I have a question for the Minister of Labour with respect to the level of wages paid to handicapped workers in sheltered workshops.

Each and every handicapped worker in a sheltered workshop is exempt from the minimum wage by virtue of a director's permit issued under section 24 of the Employment Standards Act. Was the minister aware when he issued section 24 director's permits to workshops employing clients of the Ministry of Community and Social Services that wages in those workshops are as low as six cents an hour; that the top wage, according to a survey we did of 18 workshops, was \$1 an hour; and that the average wage was well under 50 cents an hour? Was the minister aware of these facts when he approved those director's permits?

**Hon. Mr. Elgie:** Mr. Speaker, if I may just refer to the section of the Employment Standards Act that deals with the matter raised by the member, section 24 states: "For the purpose of enabling a handicapped person to be gainfully employed, the director may, upon the application of the handicapped person or his employer and with the consent of the handicapped person, his parent or guardian, authorize the employment of such handicapped person to perform such work as is authorized at a wage lower than the minimum wage prescribed under the act." I am sure the member knows the history of this relates to whether the wage is really something other than a wage, whether there is a therapeutic component to it that makes it valuable.

Having said all that, let me be clear that I have recognized that the whole issue of wage permits for the handicapped is one that

has to be reviewed. At present there is a handicapped employment program study, in co-operation with the employment standards branch and the Ministry of Community and Social Services, to review the whole matter of wage permits to sheltered workshops.

**Mr. McClellan:** I am tempted to ask the question again since the minister did not answer it. It was very simple: Was the minister aware of these wage levels? I will ask, though, a supplementary: Is he aware of a case, which I will keep anonymous, submitted to him on August 27 by the advocacy resource centre for the handicapped? It has to do with a handicapped worker who was working in a sheltered workshop for 50 cents an hour over a 75.5-week period without the authority of a director's permit under section 24. Can he tell me whether this is atypical and can he tell me what action his ministry has taken on this particular case?

**Hon. Mr. Elgie:** I am not aware of the particular case. If the member wishes to give the details to me in confidence, I will be pleased to treat it as such and review it.

### WINTER BREAK

**Hon. Miss Stephenson:** Mr. Speaker, you will recall that the member for York Centre (Mr. Stong) asked a question on Friday morning. Apparently the content of his question and my response to it has raised some anxiety in the community of such import that we have had many calls from travel agents, parents, school children and teachers worrying about whether the 1981 school break was going to be moved.

You will recall that the honourable member suggested that the timing of the school break on March 23 did nothing to support the ski industry in Ontario. You will also recall that I suggested he might pray a little for snow, because I thought that was probably of much more import to the ski industry than the timing of the school break.

None the less, I have to tell you that the regulation, which was established in 1973, provides some flexibility. It does say there will be a winter break of five consecutive days commencing on the Monday next following the Friday preceding March 21, or five consecutive days exclusive of Saturday and Sunday that are within—I did not write this—the period from the first school day in January to the last school day in June and are designated school holidays in lieu thereof by the board that operates the school.

Generally, the March break has been the March break; the winter break has occurred in March. In 1976-77, it was March 21-25; in 1977-78, March 20-24; in 1978-79, March 19-23; in 1979-80, March 17-21; and this year, 1980-81, it will be March 23-27, 1981.

Several years' plans have been developed by the ministry, but the flexibility remains with each school board. Each school board can change the March break if it so wishes, and a number of school boards have already done that to their peril, because they received the weight of the ire of parents, travel agents and others about the moving of the school break, which provided for lack of convenience when the school board next adjacent had its school break at the traditional time.

The one thing honourable members should know is that in 1981-82 it is suggested that the school break will be March 22-26, 1982. Since that is already established in the minds of boards, teachers, students, travel agents and others, I doubt that it would be reasonable to suggest that we might change it for either 1981 or 1982, but we are looking very critically at the school year, at the length of the school day, at a number of factors related to school attendance, including the March break, and it is my anticipation that within the next 12 months we shall have some important modifications to make to those regulations. We will most certainly keep in mind the plight of the ski industry in Ontario when that is done.

**Mr. Breithaupt:** Supplementary, Mr. Speaker: I am wondering if the minister has given or will be giving consideration to the possible option, to benefit not only travelling but also the better use of recreational facilities within Ontario, of encouraging school boards in adjacent communities, ensuring hopefully that they would co-operate, to have perhaps three weeks of opportunities in which to have the various school break times. This would allow some flexibility for travel. I would think travel agents might be a lot happier if they could book people on flights and such like, rather than having things clogged up. Is that a possibility or is it not practical?

**Hon. Miss Stephenson:** That flexibility is already there. Adjacent school boards can make that decision together if they wish; there is no doubt about that, and that is permitted.

#### AMBULANCE SERVICES

**Mr. Watson:** Mr. Speaker, I have a question for the Minister of Health. Is the minister aware that the employees of the Chatham

and district ambulance service have indicated they are prepared to go on strike later this week? Does the ministry have any contingency plans to provide emergency ambulance service to Chatham, Wallaceburg and areas of Kent county if they decide to withdraw their services?

**Hon. Mr. Timbrell:** Mr. Speaker, I am aware that there is a problem between the union and the employer that is alleged may result in a work cessation. I am also aware that work is continuing to try to bring the parties to an agreement before the end of the week. In the event that is not successful, yes, planning is under way to develop a contingency plan to provide emergency services. I would caution the honourable member that, in the event it came to that, routine transfers would not be looked after by the ambulance service that would operate during such a work stoppage.

3 p.m.

**Mr. Conway:** Mr. Speaker, can the minister indicate more particularly what the contingency plans might be in the event of this "work cessation," so that the essential services spoken of would be available to the people in the honourable member's area?

**Hon. Mr. Timbrell:** I can, closer to the date. They are being prepared now. In the two or three other instances where we have had difficulties in the past, we have been able to look after true emergencies through the use of management and supervisory personnel and the calling-in of adjacent services for emergencies.

**Mr. Breaugh:** Mr. Speaker, is the minister aware that there is agreement between the union and the operator? The problem is that the ministry itself seized the books last year and they cannot get a clear line on what their funding patterns will be for this year. Is the minister not, in essence, causing the strike on Friday of this week?

**Hon. Mr. Timbrell:** That is not the problem. First of all, the Ministry of Health did not seize the books. The books were seized as part of an investigation by the Ontario Provincial Police and the Ministry of the Attorney General.

**Mr. Breaugh:** And who asked for that?

**Hon. Mr. Timbrell:** Is the honourable member saying that, in those cases where our auditors believe there is something untoward, we should not pursue it? Is that what he is saying? Really, Mr. Speaker, sometimes it goes beyond the pale.



Second, I am told that what is at issue is a clause proposed in the agreement. That is where the difficulty is; not over the books.

#### DISPUTE AT AMR CENTRES

**Mr. Bradley:** I am very pleased to be here to ask this question, Mr. Speaker, in view of the obstacles that are placed before those of us who have to travel in from the Niagara Peninsula along the Queen Elizabeth Way.

My question is to the Minister of Community and Social Services in regard to a strike that exists at the present time both in Hamilton and St. Catharines involving those who work with the mentally retarded. Is the minister contemplating any immediate action to alleviate the strike situation by providing additional funding to both Participation House and the St. Catharines Association for the Mentally Retarded? With that they could pay the workers who are on strike in both those cases—one case a lockout; the other a strike—an adequate and decent wage. Management and the employees' associations in both cases say the only answer to the question lies with the Ministry of Community and Social Services.

**Hon. Mr. Norton:** Mr. Speaker, I can assure the honourable member that both of those organizations have been advised as to the allocation of funds that is available to them this year. I recognize also that there are times when the pressures of difficult negotiations such as this make it tempting to suggest the problem could easily be resolved by a third party stepping in to do something. I feel the only way these disputes are going to be resolved is through the collective bargaining process.

With respect to the broader concern of levels of funding, we are in the process of reviewing generally across the province, on an agency-by-agency basis, the budgets of some of those agencies that are funded, one might say, at the lower end of the spectrum. Whatever assistance we may offer to some, the decision ultimately is the decision of the agency that is the employer to arrive through the collective bargaining process at a level of remuneration that is acceptable to the employees and that the employer can afford to pay. That is as much as I can say at this point.

The next question is, am I prepared to intervene in some other way? No, I am not prepared to intervene in the collective bargaining process.

**Mr. McClellan:** You did at Peace Bridge.

**Hon. Mr. Norton:** No, I did not.

**Mr. Bradley:** Is the minister aware of the report prepared by Woods Gordon for the Ontario Association for the Mentally Retarded on job evaluation and pay determination? It reveals that the current pay practice of the association is about 34 per cent behind the pay practice in government-operated facilities and, on average, about 20 per cent behind the pay practice of similar service organizations, and that as an interim step it recommends the adoption of a pay curve 20 per cent above the current association pay practice? Is the minister aware of this particular report? Has he seen it, and will he comment upon the contents of it if he has?

**Hon. Mr. Norton:** I was aware that the Ontario Association for the Mentally Retarded had commissioned such a report, but I myself have not had an opportunity to read it. I presume that if it is now available to the honourable member the ministry has now received a copy, which I have been awaiting for some time. I would be quite willing to comment on it after I have had an opportunity to review it.

#### AIR AMBULANCE SERVICE

**Mr. Martel:** Mr. Speaker, I have a question for the Minister of Health. When the minister was in Sudbury recently he had a good deal to say about air ambulance service in northern Ontario. Can he indicate why the Ontario health insurance plan has refused to pay ambulance service for a young man in my riding who suffered an eye injury for which he underwent emergency surgery in Sudbury and was then sent to St. Michael's Hospital in Toronto for further surgery because they could not do anything for him in Sudbury? He was on a stretcher when they brought him down by Air Canada and he had to pay for two seats because OHIP is refusing to pay. Could the minister tell me why?

**Hon. Mr. Timbrell:** Mr. Speaker, if it was ordered by a physician and he was in need of supervision during transport, I do not understand why, but if the member will send me the name, the date and so forth, I will find out.

**Mr. Martel:** In view of the fact that the doctor sent only the mother along on the Air Canada flight, could the minister indicate if that is going to be the reason why this young man, who was by himself, should not receive OHIP coverage to pay for those two seats on Air Canada?

**Hon. Mr. Timbrell:** Essentially, the criterion is that if the individual requires medical

or nursing supervision in transit, then we pay it. If the member gives me the name, the date and so forth, I will check into it. I may say that the issue is not one exclusively of the north. One can say the same about land ambulances: if it is required, we pay; if it is an inappropriate use, we do not.

### ONTARIO HYDRO ADVERTISING

**Mr. J. Reed:** A question for the Minister of Energy, Mr. Speaker: Why is Ontario Hydro allowed to continue to mislead the public with the current advertising campaign which tells us we have very little hydraulic electric power resources left to develop in this province, then goes on to indicate that nuclear power is the only practical option when, in fact, Ontario Hydro's own report number 213201, dated December 31, 1977, states clearly that we have some 12,000 megawatts of undeveloped hydraulic power in this province? Why was this report not submitted to the Royal Commission on Electric Power Planning instead of a document called Generation Non-Nuclear, which displays only about one third of the hydraulic potential of this report 213201?

**Hon. Mr. Welch:** Mr. Speaker, there are two or three observations on the part of the honourable member that perhaps I should address. Number one, I think it is a very unfortunate use of language to suggest that a crown corporation as reputable as Ontario Hydro would be misleading the public. Under the circumstances, if the member would send me the advertisement in question, I would be very happy to take a look at it.

As the member knows, as he looks at the projections and the policy paper which I tabled a year ago, the expansion of the hydraulic resources is referred to, it is part of the package of Ontario producing from within its own boundaries more of its own total energy needs, and indeed the member comes back fresh from the presentation today of two very important papers at the electricity conference which shows that perhaps it is a balance we require, which seems to confirm the Ontario position with respect to this matter.

3:10 p.m.

Also, the member is perhaps being carried away with the recent article in Maclean's magazine about the report in question. It would be a matter of admission for the royal commissioner himself that he may not have recognized the report to which the member makes reference by its identification in numbers. Substantially the same material is part

of the report to which the member does make reference. On the cover it talked about generation. On being reminded of that, my understanding is that the commissioner then acknowledged he did have that information.

**Mr. J. Reed:** Certainly the Minister of Energy would recognize that the comment made by the former chairman of the royal commission indicates that this document was never delivered and that there was never any indication made to the royal commission that there was that kind of potential. Is the minister not aware that when he talks about Hydro's hydraulic development program it has now been deferred by four years and its budget has been cut from a paltry \$2.4 million to a nothing \$1.6 million? That represents half of Ontario Hydro's advertising budget.

**Hon. Mr. Welch:** I would repeat again that it is my understanding that when attention was drawn to the second document to which the honourable member makes reference the commissioner then acknowledged the fact that he did have the information. What he was referring to, I am told, as the member grasps for the gospel according to Maclean's, was that he did not recognize the document as it was referred to by the questioner during the interview, but he did have a substantial amount of the information contained in the numbered report in the other report.

**Ms. Gigantes:** Supplementary, Mr. Speaker: Just so we have the gospel according to the Minister of Energy, is the minister suggesting that the royal commissioner was wrong or inaccurate in saying that he did not have the information, or is the minister suggesting that the royal commissioner had the information but simply did not realize the significance of it? What is the import of the second possibility?

**Hon. Mr. Welch:** No, I did not say either of those things. I am suggesting, that on the information I have, following the release of the issue of Maclean's magazine in question, it was drawn to his attention that substantially the same information contained in the particular document which the interviewer had was contained in a report which was then identified and shown as being one of the exhibits.

In fairness to the commissioner, although I have not talked to the commissioner about this—this is from information I have—I am assuming he was referring to a report referred to as whatever it was, and he did not recognize that, but having had it drawn to his attention that this material to which refer-



ence was made was with respect to the resource, hydroelectric power, in fact the commission did have access to that information.

**Mr. S. Smith:** Supplementary, Mr. Speaker: Dr. Porter said he was "shocked to the core" to find out there are 12,900 megawatts of undeveloped hydro power available, as indicated in that report. Irrespective of whether he did not have the report or he had it but did not notice the report, he is still shocked to hear the information. Is the minister shocked to find out there are 12,900 megawatts of undeveloped hydro power available? If he is not shocked by it, why does his much-vaunted statement of Friday call for only 2,000 new megawatts of hydraulic development when there are 12,900 megawatts available?

**Hon. Mr. Welch:** In a short answer, I am not shocked at the potential with respect to further hydraulic development.

**Mr. S. Smith:** Why just 2,000 megawatts then? It is only one third the cost of nuclear power.

**Hon. Mr. Welch:** Take a minute and look through Hansard. The Leader of the Opposition's own colleague has continued to remind us of the contents of these reports long before this afternoon's question period. We are talking in terms of the 2,000 megawatts in the report because they were immediately available and it seemed they could be encompassed. After all, the member would not want to ignore all the steps that have to be taken with respect to environmental hearings and assessments.

He pretends to be the great environmentalist in the House: I want to assure him we share some concern about that and recognize that option.

#### DISPUTE AT AMR CENTRES

**Mr. Charlton:** Mr. Speaker, I have a question of the Minister of Community and Social Services. Regarding the lockout situation of Participation House in Hamilton, the minister has repeatedly said he is not prepared to interfere as a third party in the collective bargaining process. Is he prepared to tell this House today, or to look at the books of the board of Participation House and report back to this House, that there is enough money in that situation to allow free collective bargaining to go on, or is the present deadlock position of the offer that the Participation House board has made to the employees as far as they can go because there is no money?

**Hon. Mr. Norton:** Mr. Speaker, I am not in the position to give any assurance to the House on the specifics of what the books of Participation House would contain at this point, nor at this point am I prepared to give the undertaking to have a look at their books.

**Mr. McClellan:** The minister stepped in at Peace Bridge.

**Hon. Mr. Norton:** The member keeps referring to Peace Bridge. I did not step into the Peace Bridge situation at all.

**Mr. McClellan:** The minister tried to close them down after they settled.

**Hon. Mr. Norton:** They concluded their negotiations and were ready to close down because they did not have any money. They then decided to reopen their negotiations on their own and to roll back the settlement rather than close down. I did not intervene in that situation. I did not intervene at all.

**Mr. Isaacs:** A supplementary, Mr. Speaker. Does the minister not realize that the offer of eight per cent that has been made to employees in that lockout situation is exactly the figure that was provided for an increase by his ministry to Participation House? If indeed it is all the money that Participation House has, then the minister is the invisible man at the bargaining table, because he controls the purse strings and it is up to him either to ensure that they have the money to solve the problem now or to give it to them so that Participation House can get back in business and the people back in their home as quickly as possible.

**Hon. Mr. Norton:** I think the honourable member reflects some lack of understanding of institutional budgets.

**Mr. McClellan:** We know that.

**Hon. Mr. Norton:** Listen, the member held that position before while I stood here on this side of the House and said similar things and took abuse. He discovered in his own community only a short time ago that there was—

**Mr. Wildman:** You are answering the member for Wentworth, not the member for Bellwoods.

**Hon. Mr. Norton:** No, I am talking about the person who asked the question and referred to his community. He subsequently learned that I was correct and he was not. I am not going to start talking about percentages in this House as they relate to that particular negotiation. I will not say things in this House or outside this House which I know are likely to prejudice the free collective bargaining process that ought to be under way at the present time.

### TRANSPORTATION OF PHYSICALLY DISABLED

**Mr. Stong:** Mr. Speaker, I have a question of the Minister of Transportation and Communications. Why does he allow to persist in his ministry a policy that dictates and discriminates against the blind, a policy that denies access by the blind to special buses in urban communities designed to assist the handicapped, including the mobility buses in York region and the Wheel-Trans in Metro? It is a policy that excludes the blind from the definition of the physically handicapped and renders them ineligible for user certificates.

**Hon. Mr. Snow:** Mr. Speaker, I stand to be corrected, but I believe the honourable member is about 100 per cent wrong in his assumption about the policy. First of all, the ministry's funding policy with the municipalities on the handicapped transit system leaves the establishment of the criteria for those to be served totally up to the municipalities.

**Mr. Stong:** Would the minister inform himself of a current case in Richmond Hill. I believe the person's name is Raymond Jackson. He has gone to all lengths with the ministry to obtain a certificate and has been denied such a certificate by the officials to use the bus that is available for the blind.

**Hon. Mr. Snow:** First of all, our ministry does not issue certificates such as that. It is the local municipality that issues them. Our policy does not cover that.

### ONTARIO HUMAN RIGHTS COMMISSION

**Mr. R. F. Johnston:** I have a question of the Minister of Labour, Mr. Speaker. Last spring a number of questions were put to the minister about putting some concrete action behind the race relations component of the Ontario Human Rights Commission.

What steps is the minister willing to take at this time to provide adequate resources to the race relations commission, especially as the commissioner, Dr. Ubale, was quoted in the Toronto Star some days ago as saying that he does not have the financial resources necessary to do what he has to do?

3:20 p.m.

**Hon. Mr. Elgie:** Mr. Speaker, as I mentioned in the House before in response to that question, an extensive consultation process to review the functioning of the Ontario Human Rights Commission was carried out. The results of that report were made avail-

able to the ministry last summer. I have taken representation to management board to increase by a considerable amount the staff and funding, particularly of the race relations division, and I hope to be making an announcement very shortly.

**Mr. R. F. Johnston:** Is the minister concerned? That is kind of an open-ended question, I know, and I know he is the minister concerned, but is he concerned that Dr. Ubale himself, according to that article in the Star, no longer seems to have the support of large elements of the visible minorities, even though that word is now supposedly not to be used in Toronto? Does the minister think that stems from the lack of resources that have been provided to Dr. Ubale, or does he think Dr. Ubale is the wrong person for the job and should be replaced?

**Hon. Mr. Elgie:** Of course, that is like asking, "Have you stopped beating your wife?" I am sure the honourable member knew that before he asked the question. First of all, I think Dr. Ubale is a very capable, able man who—maybe not in the member's style, but I think in the appropriate style—has dealt very quietly and very diligently with a lot of serious racial problems, and he is to be congratulated for it. Obviously, I think there is a need to improve the staff capacity at his disposal or I would not have initiated the consultation process by an outside consultant. That process is completed. I am endeavouring now to obtain more funds and more personnel for several areas of the human rights commission.

### ALGERIAN EARTHQUAKE

**Mr. Mancini:** Mr. Speaker, my question is to the Deputy Premier. Could he inform this House if he has appraised himself of the news reports over the weekend which have shown the public the devastation that has been caused by the earthquake in Algeria and whether the Ontario government proposes to send food, medical supplies and clothing to the victims of this earthquake?

**Hon. Mr. Welch:** Mr. Speaker, I am sure all members of the House share a tremendous concern with respect to the welfare of those who have been the victims. To answer the question very quickly, the Minister of Intergovernmental Affairs (Mr. Wells) is assessing the whole situation, gathering some information for the consideration of my colleagues and no doubt will have something to say about this on Thursday.



## MOTION

### COMMITTEE TRAVEL

Hon. Mr. Gregory moved that the standing committee on the administration of justice be authorized to travel tomorrow to Scarborough and Etobicoke to visit projects of the Ontario Housing Corporation.

Motion agreed to.

## INTRODUCTION OF BILLS

### CHIROPODY AMENDMENT ACT

Hon. Mr. Timbrell moved first reading of Bill 167, An Act to amend the Chiropody Act.

Motion agreed to.

### JURIES AMENDMENT ACT

Hon. Mr. Pope, on behalf of Hon. Mr. McMurtry, moved first reading of Bill 168, An Act to amend the Juries Act, 1974.

Motion agreed to.

**Hon. Mr. Pope:** Mr. Speaker, I am pleased to move first reading of the Juries Amendment Act, 1980. The bill removes the disqualification of blind persons and persons 70 years of age or older to serve on juries. The bill removes the statutory ineligibility of the clergy to serve on juries but provides that all persons whose religious practice or beliefs conflict with jury service may be excused from service by a judge.

The bill permits jury service to be deferred or excused where said service would result in serious hardship to others.

Finally, the bill provides protection for the employment of persons who are summoned for jury duty.

### DOG OWNERS' LIABILITY ACT

Hon. Mr. Pope, on behalf of Hon. Mr. McMurtry, moved first reading of Bill 169, An Act to provide for Liability for Injuries caused by Dogs.

Motion agreed to.

**Hon. Mr. Pope:** Mr. Speaker, I am pleased to move first reading of a bill entitled the Dog Owners' Liability Act, 1980. This bill would alter the sue liability of the owner of a dog that bites or attacks any person. The bill would make the owner strictly liable for damages resulting from an attack by his or her dog. The liability would not depend on negligence and the common-law principle of scienter, requiring foreknowledge of the dog's vicious propensity, is removed.

The owner's liability would be reduced by the extent to which the victim's own fault or negligence caused the attack, and the owner would be entitled to contribution and indemnity from any other person at fault.

The bill would also replace the existing Vicious Dogs Act, which provides a procedure by which the destruction of a dog that has bitten a person may be ordered. That procedure is retained, but guidelines are set out for the court to consider in determination whether destruction of the dog is necessary for the protection of the public.

### CITY OF GLOUCESTER ACT

Hon. Mr. Pope, on behalf of Hon. Mr. Wells, moved first reading of Bill 170, An Act to erect the Township of Gloucester into a City Municipality.

Motion agreed to.

**Hon. Mr. Pope:** Mr. Speaker, this bill will erect the present township of Gloucester to city status on January 1, 1981. It has been brought forward in response to a request from the township council and reflects the fact that Gloucester is now extensively urbanized, with a population of almost 70,000.

I would like to point out that the legislation will not affect the November 1980 municipal election process, nor will it alter Gloucester's representation on the Ottawa-Carleton regional council.

## ANSWERS TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Gregory:** Before the orders of the day, I wish to table the answers to questions 174, 236, 238, 240 to 247, 249 to 255, standing on the Notice Paper. (See appendix, page 3377.)

3:30 p.m.

## ORDERS OF THE DAY

### THIRD READINGS

The following bills were given third reading on motion:

Bill 85, An Act to revise the Limited Partnerships Act;

Bill 136, An Act to amend the Land Titles Act;

Bill 137, An Act to amend the Registry Act;

Bill 138, An Act to revise the Boundaries Act.

## GAME AND FISH AMENDMENT ACT

(continued)

Resuming the adjourned debate on the motion for second reading of Bill 59, An Act to amend the Game and Fish Act.

Mr. Foulds: Mr. Speaker, if you and the House would have patience with me, I will just gather my notes together here. I must say I was unable to be here last week, owing to external difficulties, for the lively and informative debate that took place on this crucial piece of legislation that is before the House.

I want to assure the members of the House that we will not be voting against this bill on second reading. How can one oppose this bill in principle when the bill has no principle? It is, as the ministry is, cautious, afraid to enunciate principle, hesitant, defensive, like its minister, an old pro who has seen better days.

The bill contains several matters of substance but none of principle, and that seems to me to be a really important tragedy, because the bill lacks three important things that any Game and Fish Act and any bill that purports to amend the Game and Fish Act in this province should have.

First of all, there is no statement in the bill or in the original act of why it is necessary to regulate game and fish in the province. In other words, there is no statement of why we have a Game and Fish Act. Secondly, there is no legislative recognition in this bill or in its original act that there needs to be management of our wildlife resources. Even more important, it lacks any legislative recognition that there needs to be a genuine conservation of our wildlife resources, and that seems to me to be a serious failure on the part of this government, on the part of this particular minister and on the part of the parliamentary assistant.

Thirdly, it is interesting to see a government that prides itself on the user-pay principle and has trumpeted that principle around the province increasingly over the last four or five years to justify various charges that it levies on the public as taxes, direct or indirect. It is interesting, for example, to see that the government defends OHIP fees on the user-pay principle but does not have the guts to introduce a fee for resident fishing licences in the province, even though that is supported by the Ontario Federation of Anglers and Hunters.

Interestingly, when the Ontario association wrote to the minister indicating that the NDP supported this principle of a modest fee

for fishing licences provided that revenue was channelled into the regeneration of fishing stock, which is of utmost importance in this province in this day and age, the minister wrote back to the association asking it for proof of this, even though I, on behalf of my party, had made that statement during the debate on his estimates. He must have been nodding at the time. He must have missed it. All they did was quote the page in Hansard where it occurred, which goes to show that the Ontario Federation of Anglers and Hunters knows more about what is going on in the province and in the Legislature in terms of the Game and Fish Act than does the minister.

There is no recognition in this bill that there needs to be an integration of the way in which we manage Ontario's crown lands for whatever purposes, whether for the purpose of game and fish or for the purpose of forestry. It fails to recognize, as does any government piece of legislation, that there must be integrated use of our forests and of our crown lands. The ministry has by default said that the most important uses of crown lands in this province are forestry and mining. Because those two giants within the ministry have without public debate received priority, there has been harm to and neglect of the game, the fish and the wildlife trapping aspects in use in the forests. There has not been a recognition by this government in public terms, that to the people who use the forests, either commercially or for recreation purposes for the exploitation of game and fish, that that is equally important in human terms for the individuals or for the peoples involved.

In other words, there has been an increasing feeling by trappers, hunters and fishermen that their uses of Ontario's crown lands take very much a back seat to the two giant concerns of the ministry: forestry and mining. And, let me say, the miners have some concerns about their place in the sun these days as well, since the amalgamation of the ministries into the huge colossus known as the Ministry of Natural Resources.

A major concern I have about this piece of legislation, to which I would like to speak on this second reading of the bill, is that this legislation allows, as does the original act, far too much to be done by regulation. For that reason, I will be introducing amendments to the act that at least force the publication of those regulations four months in advance of their coming into effect.

The reason for that is very simple. It seems to me to be entirely reasonable for the



hunters of this province and the people who sell licences and so on to know by May what the regulations are going to be for the coming fall. That has not always been the case. I would like to see that principle embodied in the legislation. Similarly, it is fair to say in the area of fishing that the fishermen should know what the spring regulations are going to be by the end of December or January.

I recognize that in a field as complex as management of our game and fish—and it is a complex field—the ministry itself must have some flexibility in terms of the regions and in terms of specific regulations for different species in different regions of the province. I recognize the importance and the necessity, therefore, for there being power so that the ministry can amend certain procedures for certain regions by regulation rather than having to bring a bill in every time it is necessary.

That is all the more reason why the act itself should embody in it a statement of principles so that the regulations cannot then contravene those principles because no regulation can contravene the spirit or intention of an act. At the present time, because there is no statement of principle in the act, it is all too easy for the spirit and intention of the act to be subverted by a government that is insensitive to the Legislature in printing and approving of regulations.

3:40 p.m.

I have a second major concern that I want to put as calmly as I can but, if I may say so, with as much anger as I can. To the best of my knowledge after talking to spokesmen for both Treaty No. 3 and Treaty No. 9, nobody in the ministry thought to get in touch with Treaty No. 3 and Treaty No. 9 to discuss with them either the impact the amendments currently before the House would have on them or to discuss with them any amendment they would like to seek to the act. I think that is a serious neglect of responsibility on the part of the minister and his officials because, if any people in this province are affected by the procedures for hunting, fishing and trapping, it is the people of Treaty No. 3 and Treaty No. 9.

Frankly, I am absolutely appalled by the harassment that the officials of the Ministry of Natural Resources have undertaken against the native peoples of the northern part of this province. It was my understanding from the treaties that were signed that the native peoples of the northern part of this province would have the right—and they certainly

understand that they have the right—to hunt, trap and fish as they did traditionally. This ministry has continuously insisted they get the licences required under this act and, more than that, I think that in certain parts of this province ministry officials have gone out of their way to institute proceedings against members of native bands when it was not necessary.

I believe that if this province wanted to establish a modicum of goodwill with the native peoples of this province, it should once and for all amend section 35 of the original act. Unfortunately, this bill does not do that. It does not come to grips with section 35 of the act. It is my contention that the native peoples of this province should be exempt from the provisions of section 35 of the original act so that they would have without question the traditional right to hunt, fish and trap in their treaty areas.

That is one of those ironies we see time and time again in this Legislature. The peoples who are to a large extent dependent upon hunting, fishing and trapping more than any other people of this province are not consulted before the bill comes in. I know the bill has been standing on the Order Paper for a long time, but it seems to me that a ministry and a government with any sensitivity, with any sense of what is going on in the province and with any sense of justice, would have made the initial step to consult the spokesmen and the bands of Treaty No. 3 and Treaty No. 9 so that their concerns were taken into account in this legislation. That was not done.

It typifies the lack of leadership and the lack of courage this government has shown time and time again. In a minor way so does the reluctance of the minister to bring in a fee for residential fishing show a lack of courage on the part of this government.

This bill amends a certain number of sections in the act. One of the more interesting sections of the bill that I will be speaking to in more detail when we come to it, is section 9. That is the section that now allows the minister to grant licences for fox hunts, wolf hunts and coyote hunts, which I gather were unlicensed before. Because they were not specifically prohibited, they were legal, even though not licensed.

Very cleverly in that section the ministry has proposed two different sets of amendments to the act and for two different sections of the original act. I wonder whether that is even in order. Certainly when we get to committee for the whole House, I think we should look at that.

In one part of that section of the bill we allow licences for fox hunts, wolf hunts and coyote hunts. In a different part are the sections that have to do with the amendments to trapping that were pioneered by my friend and colleague the member for Etobicoke (Mr. Philip).

I suspect that somewhere in the ministry somebody is chuckling away and saying: "Ha, ha, let's see how the NDP deals with this section of the bill. We've jammed the two together and those Socialist hordes might be opposed to fox hunts and in favour of humane trapping. We'll get them in a cleft stick by jamming them together in the same section." We are going to divide the subsections when we come to that section of the bill so that we can state clearly our position on each.

The other section of the bill I found intriguing and that I will be speaking to is a section that now allows the minister and the Lieutenant Governor in Council to—I cannot think of the right word—nominate or officially declare what is and what is not an amphibian in the province. I have in the back of my mind this vision of the Lieutenant Governor in Council sitting in a room determining what is and what is not an amphibian. It sort of boggles the mind.

Then there is the latter section in the act that allows amphibian hunts, just like wolf, coyote and fox hunts.

**Mr. M. N. Davison:** It opens up the possibility of persecutions. Scary.

**Mr. Foulds:** Yes, and maybe reptiles as well.

Without getting into any personality conflicts about who should or should not be nominated as an amphibian or a reptile, I think that gives enormous power to the minister.

**Mr. Wildman:** There have been quite a few amphibians and reptiles nominated over there.

**Mr. Foulds:** I am not sure that is the kind of power I want to give to a partisan minister. The present minister is such a gentle and humane fellow that I know he would not abuse that power. But I hesitate to think what would happen if the present parliamentary assistant became the minister.

I can see the poor member for Renfrew North (Mr. Conway) being named in a dispatch from the Lieutenant Governor in Council under the section dealing with amphibians, reptiles, et cetera. I can see there might be some personal justification for that, but I think it would be an abuse of the minister's

power. I really hesitate to give those sweeping powers to any minister.

Mr. Speaker, as you have concluded, we rise not to oppose this bill on second reading. We have some serious reservations about its lack of direction, its lack of initiative and its lack of principle in management of wildlife and of setting that principle in legislative terms.

3:50 p.m.

We have very serious concerns that the traditional rights of native peoples have not been enshrined in this piece of legislation. We have a continued concern that the minister may once again abuse his power through regulation because of the sweeping nature assigned to him both in the original act and through this bill.

We, therefore, will be having some amendments proposed by my colleagues and myself when we get to this in committee of the whole House. We will not proceed beyond committee of the whole House stage—in other words, we do not want to proceed to any third reading of the bill—before next week.

**Mr. Renwick:** Mr. Speaker, I want to speak briefly on the bill. I have always been intrigued by the Game and Fish Act, not because I know anything about hunting or fishing, but because of the immense authority in a widely diffused number of areas granted to the minister under the act and the possibilities of even an unconscious sense of tyranny or harassment being used by the minister and those of his officers acting under his authority in carrying out the provisions of the Game and Fish Act. The very detailed nature of the act and the very specificity that is present in the amending bill before us, dealing in minute detail with a large number of matters, are evidence to me of the kind of concern which my colleagues and I share about the bill.

There are no questions of good faith involved or bribery or corruption involved. There are simply questions that a large number of people are dependent upon the whim, if I may say so, of the minister on the question of licensing and authority to act and protection against the kind of harassment which, if not carefully watched by this assembly, could become a matter of very serious concern in the northernmost parts of the province, let alone in southern Ontario.

So it is in that sense I venture to say through the parliamentary assistant to the minister that there are certain sections of the bill



which I frankly do not understand. Perhaps in committee we will have an opportunity to deal with them. One particular one is the repeal of section 16 and the re-enactment of section 16 with respect to the forfeiture of property to the crown. I think there are immense inconsistencies in that section. When we come to committee, I think we will have to deal with them.

You will recall, Mr. Speaker, that is the section that gives an officer, who reasonably believes that certain offences have been committed, authority without a warrant to seize vehicles and other property and equipment. It then elaborates a code and a circumstance under which that property is either forfeited to the crown or returned to the person from whom it was taken. Then it is all confused by a reference later on to the question of ownership. Of course, on many occasions the person from whom the equipment or the vehicle is taken is not necessarily at the time of the seizure the owner of the vehicle or of the equipment or of the goods that are subject to the seizure.

It does seem to me that hidden away in that code is an opportunity for the crown to forfeit valuable equipment without necessarily having a clear recourse to the person from whom it is taken to recover it in any orderly way, even though that person may not be the owner of the vehicle or the equipment.

The other miscellaneous sections throughout the act are matters of much detail within the ambit of the whole bill. But of course the matter which I raised with my colleague and which my colleague has raised here, and which my other colleagues have raised, is the extent and degree and the way in which the ministry, in going through this bill and deciding on these amendments, has taken into account the views and concerns of the native peoples and the native organizations representing them in the province at the time the bill is being dealt with.

My colleague well knows that when the Minister of Consumer and Commercial Relations (Mr. Drea) dares to deal with the business community, we only see the bills after they have been through a whole series of negotiations and discussions and the views sought and, in a very pleading way, solicited from the business community so that when the bills come into the Legislature they will not be subject to us tampering with them.

I would like to think that perhaps the Minister of Natural Resources (Mr. Auld) would have the same sensitivity and the same concern, in a much more worthy sense,

to talk to and deal with all of the native peoples' organizations during the process of the development of this kind of bill. My friend the parliamentary assistant well knows that in any amendment to the Business Corporations Act of this province, a multitude of amendments would be thoroughly canvassed and discussed with those who are involved in the community. I have some very real concern that that has not been done in this case.

There is another aspect of it, and here I am quite prepared to have the parliamentary assistant tell me that it is my lack of knowledge rather than any serious concern that I am expressing, and in that case, of course, he can tell me what the position is. I would like to know whether the Ministry of Natural Resources has in document form of any kind—a memorandum, a booklet—any kind of statement that clearly and unequivocally sets out the present status in Ontario of the Game and Fish Act with respect to the rights and obligations of the native communities in the field of hunting and fishing. I find the whole of that question has become so enshrouded in mystery and has become so technical that it is almost as if it defies any sense of saying that in some way there is a residual protected right of the native communities to hunt and fish in the provinces.

Some years ago, when the Polar Bear Provincial Park was constructed, it was quite obvious and set aside. It was quite obvious that there had not been any thoroughgoing discussion or negotiation with the native peoples in that area about the setting aside of that park. That doesn't mean there were not some contacts, of course there were some contacts. I am talking about the need for a thoroughgoing participation by those persons who have certain residual rights at least, if not peremptory rights and rights of priority in hunting and fishing matters in this province and whether the ministry at this time is at least sensitive to those needs.

There are a number of matters, when the bill goes into committee of the whole House, about which, as my colleague has said, members of this party who are much more knowledgeable about hunting and fishing than I am will be able to comment, but I did want to speak briefly to my basic concern about the bill.

4 p.m.

Mr. Yakabuski: Mr. Speaker, I want to thank the members of this House for taking the interest they have in this very important piece of legislation. We have had 15 or 16

members speak on this bill and by and large most of them have responded in a manner in which we feel they want to support this bill.

It is really heartening for the minister and for me. In his absence, I want to thank the members of the House for the interest they have shown and, of course, for myself and the people in that branch of the Ministry of Natural Resources for the kind of response Bill 59 has stimulated in the House.

The members who spoke have obviously given the bill a good deal of thought in most instances and have given it their general support. They have thoughtfully added their concerns—and this is the way it should be; we are happy to have them—and a few have suggested change. For these things we certainly are grateful.

The discussion of the motion has been so thorough that I feel that in a few minutes, in a short response, I can alleviate many of the concerns that might otherwise resurface in committee of the whole House.

On the control of hunting, which quite a number of the members who spoke on this bill mentioned, I remember the member for Niagara Falls (Mr. Kerrio) referring to no specific section of the bill that he was aware of and he belaboured the government for managing the hunter rather than the wildlife resource. In fact, our immediate problem for both deer and moose in many areas of the province is to reduce the legal harvest immediately so that the herds may rebuild. This was obviously understood much better by the member for Algoma (Mr. Wildman), and I feel he made a considerable contribution to the debate. He rightly observed that protection of the herds from decimation is needed now and went on to state that we must manage both hunters and wildlife. The components of our deer and moose management policies consist not only of control of harvest but also of habitat management, control of certain predators that may be held at an unusually high level by availability of alternative prey, control of illegal hunting and research into other factors such as wildlife diseases.

Something we should keep in mind is that the Ontario Federation of Anglers and Hunters, which many of the members referred to in their talks, are well aware of the components of our new moose and deer management programs. Indeed, these programs were forged in co-operation with that organization. They now want to be assured that we are not simply going to limit hunters, and I believe we can give them that assurance.

The member for Erie (Mr. Haggerty) and the member for Niagara Falls seem taken with the abundant big-game populations in Sweden and Pennsylvania and wonder why Ontario cannot achieve a similar happy state, preferably before we begin controlling hunters. I would like to point out that both jurisdictions had to control hunters during the years that these herds were building. Even now, Pennsylvania has limited antlerless deer harvest, much like ours. We will undoubtedly never have the same number of deer per unit area that Pennsylvania does, because we are situated in a latitude that has more severe winters, winters that tend to kill great numbers of deer every few years and it really decimates the herds in my part of the province.

Our deer live under much different conditions than do the United States deer and are fewer in number generally, but are bigger. I have seen hunters from Pennsylvania in the area south of Algonquin Park and I have asked them why they were hunting there, with the abundance of deer in Pennsylvania. They said: "It's simple. We want a real deer. We don't want a scrub deer." I think it is generally known that the hunters from the United States who come here to hunt our deer have often referred to the Pennsylvania deer as stunted or scrubbed.

The moose in Sweden are also quite different from our moose. They are smaller and eat things that our moose find unpalatable or not nourishing. As a matter of fact, our moose are spoiled. They are spoiled brats, because they are too choosy as to what they will eat. The moose in Sweden are not quite as choosy. They will eat Scotch pine and some of the vegetation that our moose will not touch and therefore I think sometimes that our moose maybe are spoiled because—

**Mr. Foulds:** Why don't you go up there and give them a good talking to?

**Mr. Yakabuski:** We know the Swedish moose do like Scotch pine, or at least they eat it. If our moose would eat some of the other growth that these do, probably we would have many more too. The other thing is that the moose in Sweden are almost like farm animals.

**Mr. Wildman:** What about the ministry's policy of only 300-acre clear cuts? What happened to that policy?

**Mr. Yakabuski:** We will get to that.

In contrast in Ontario, our research is just beginning to show that the absence, presence or abundance of moose may be the result of many subtle factors, such as the presence of



traces of salt in the environment. I think that is becoming more widely known all the time.

Everyone knows nowadays that wolves eat moose in Ontario. I do not think that statement will enlighten anyone in the House or elsewhere. In some places the wolf is the only mortality factor working on the herd. In Sweden, of course, there are virtually no natural predators remaining. That is one thing we have to consider, that in some areas they have pretty well done away with predators. Certainly it may have helped the herds, but they are endangering certain species perhaps.

I mention these matters in order that honourable members may keep their perspective about big game management in Ontario. We might never reach the big game densities of Pennsylvania and Sweden. Our objective, however, is to increase our moose and deer herds with due consideration to other necessary uses of the land, such as forestry and agriculture, and with due consideration for the conservation of other species that other nations have sacrificed, such as our large predators.

As the member for Halton-Burlington (Mr. J. Reed)—and he is not in his seat right now—so ably stated, and certainly it is worth repeating, we are not here to do battle with nature. We are part of nature, we are nature, and we must take every possible precaution not to destroy it. We feel we can have more deer and more moose without subjecting anything else to extinction, and that is a very important point. The other jurisdictions mentioned have not accomplished this.

The member for Algoma—and I keep referring to him because his speech was one of the longer ones, but it contained a lot of reasonable material—has mentioned that the Ontario Federation of Anglers and Hunters feels that the Minister of Natural Resources and his ministry have neglected to respond to its suggestion of party licensing.

I would like to set the record straight. Both the minister and his staff have met with the executive of the federation over that very point and other issues. A response has been given. The trouble is that the federation does not like the response. To date, the federation has been unable to show how the system it proposes will be immediately effective in reducing harvests. Furthermore, we suspect the proposed system would not be as palatable to northern hunters as the one currently being applied. We responded but, as I have mentioned, the response was not what the federation wanted to hear.

4:10 p.m.

The member for Algoma asked what I meant by referring to responses to social change. What was meant is that our society has become more and more concerned with human values as an example of social change value and expressed need. The member for Etobicoke (Mr. Philip) has obviously been sensitive to this particular change and has worked diligently to express it in humane trapping laws which are incorporated in this bill.

Society is also concerned today with the conservation of nongame species, and the government wishes to respond by making provisions for protection of any reptiles and amphibians requiring such protection. I want to assure the member for Port Arthur (Mr. Foulds) that, although he may have some concerns about the parliamentary assistant, the parliamentary assistant really would not hurt a tadpole. He may have played with them as a child. As a matter of fact, he has a soft spot in his heart for lizards and some from that family.

**Mr. Foulds:** Lizards are among my favourite reptiles and amphibians.

**Mr. Yakabuski:** In this connection, I wish to mention that endangered species are protected under a separate act, the Endangered Species Act. The member for Beaches-Woodbine (Ms. Bryden) wanted the assurance of the government that such species are adequately protected. They are, but not only in the act under consideration.

The member for Algoma asked for clarification of the section of the bill dealing with the deputy conservation officers. Previous wording which would have such deputies serve without remuneration would be removed. The new section would provide a means of extending our enforcement capacity. However, in this day and age, all enforcement personnel should be properly identified, that is, properly uniformed, insured and trained in the basics, at least, of law enforcement.

The new provision allows us to recruit and train an auxiliary or deputy force from the interested public and, furthermore, to train and continue to pay a deputy force recruited from within the ranks of the ministry staff who do not normally deal in law enforcement, such as forest technicians or fire control personnel. It is our intention that trained deputies would work with full-fledged conservation officers, thereby adding a new element of safety to the work of an otherwise

lone officer or extending the capability of our conservation officer force.

The member for Lakeshore (Mr. Lawlor) and the member for Algoma mentioned specific concerns about the relationship of the Game and Fish Act to native people. The member for Riverdale (Mr. Renwick), our last speaker, also voiced some concerns in that area. Other members mentioned the same thing less specifically than their other concerns.

For those Indian people whose ancestors entered into treaties which guaranteed hunting rights, the Game and Fish Act cannot apply because it is provincial legislation. Only federal legislation can offset such rights and that is why the Fisheries Act of Canada and the Migratory Birds Convention Act of Canada apply.

**Mr. Wildman:** What about moose and deer?

**Mr. Yakabuski:** In answer to the member for Algoma, enforcement cannot therefore be consistent among the three acts. I have asked our staff to check on the statement attributed to the member for Algoma which was, "It is the Ministry of Natural Resources' policy now to prosecute to the full extent of the law and to ask for the maximum penalty in cases concerning hunting in the Treaty No. 3 area." No one in Fort Frances or the regional office in Kenora can recall such a statement.

**Mr. Wildman:** I can bring in a transcript.

**Mr. Yakabuski:** I want to assure the member that our research has not turned anything up. In any event, it does not reflect the policy of the ministry, nor does it reflect the attitude of the courts.

I believe I have also answered the concerns expressed by the member for Lakeshore. There would be little use in approaching a treaty organization for consultation on the Fish and Game Act. I think the member for Riverdale voiced the same concern a moment ago. They have told us many times that this act does not apply to them.

The member for Lakeshore asked how the Royal Canadian Mounted Police fit into the picture. They are defined as officers under the act specifically so that they can enforce any of the provisions of this act which might bear directly or indirectly on migratory birds. In using the provisions of the Fish and Game Act, they too are constrained by its scope of application. Co-operative arrangements with the RCMP are almost solely in the area of migratory bird management.

The member for Algoma and the member for Brant-Oxford-Norfolk (Mr. Nixon) asked

what conditions the government plans to set on people who have, as one member stated, the right to guide. The government abandoned the process of qualifying guides 25 or 26 years ago. Basically, it was found that guiding is a complex, highly skilled service, the basics of which are not readily defined and even less readily articulated by even the most skilled guides. It is a sort of sixth sense. Guide licenses have persisted in areas in which people have insisted on them, but we are still of the view that people will find competent guides through tourist operations or developed acquaintances.

Section 5 of the bill does not pertain to guides. We hold that a guide's customary duties, for which he is paid, are to provide accommodation, food, direction, equipment and canoe paddles, call geese and direct hunters to areas where game inhabit. A guide's function is not to hunt, although he may do so if he is carrying a proper hunting licence.

There was some mention of identification badges. The member for Algoma asked why we wanted to exempt people from wearing hunter identification numbers in certain areas. We are not sure whether we do, but it has come to our attention that a good many people in the north especially disagree that it is necessary, and the Ontario Federation of Anglers and Hunters is wondering about its application in the south. I can only add that when badges first came on stream, so to speak, there was some resistance, but in many parts of the province today they are widely accepted and many people want them. There are varying opinions on the badges and whether they should be worn in a conspicuous place on the body.

**Mr. Foulds:** What is your position?

**Mr. Yakabuski:** On badges? I think it varies from area to area in the province. Originally, it was requested by people in the south, especially in the farm lands, where hunters could be identified. I think it is completely different in the north, because we are not dealing with farm areas but with vast open spaces where it is a different ball game entirely. Periodic assessments of the feasibility will be made. The new section gives flexibility in prescribing its use by different areas of the province.

The member for Algoma seemed to touch on almost everything because now we are getting to coloured clothing, wearing brightly coloured clothing during the hunting season or while hunting. Nothing in the present act or in the amendment prescribes the wear-



ing of certain colours while hunting, even though some jurisdictions in North America have made such a law.

Our reasoning is as follows: Not everyone using the forests or fields during hunting season is a hunter. In the member for Algoma's own example of an unfortunate incident, the person who was killed was an Indian woman who was trapping at the time. I doubt if we could force all such people, the people who are not engaged in hunting, to wear bright orange or whatever during the hunting season. We hold to the concept that hunters must know what they are shooting at, and that shooting at something just because it is not orange or red is the height of irresponsibility.

4:20 p.m.

It is interesting—and perhaps what I have just said has something to do with it—that jurisdictions which have compulsory colours for hunters have no fewer hunting accidents than we have. We have chosen instead to educate people, and I think we have gone a long way in that area. I speak mostly for the area I represent, because I think we have made great strides. We have chosen to educate people and to leave the responsibility to them. I think they have responded in a very positive fashion.

Incidentally, we estimate that 80 or 90 per cent of Ontario hunters already wear bright red colours during hunting season.

The member for Algoma pointed out the perhaps undesirable practice of the use of dogs for bear hunting. This is under review at present within the ministry. If changes are necessary, they can be made without modification to the act. There are times, as the member mentioned, when someone might move in from south of the border with a team of dogs and roam almost at large. We share his concern, but we think this can be dealt with by regulations.

A number of members touched on trapping by farmers. The member for Algoma referred to a farmer trapping on his lands in a built-up area and wondered whether the prohibition against using body-gripping or leghold trips applied to him. The answer is that the farmer is exempted; he may trap with any device at his disposal. The aim is to avoid putting impediments in the way of a farmer who must use means familiar to him to defend his property. We must bear in mind that the farmer's property not only can harbour nuisance animals but also can suffer a great deal of damage from them.

The member for Halton-Burlington stated the philosophy that we should be cautious in restricting the use of traps in near-urban areas. Unnatural buildups of animals occur because of the lack of predation. If the farmer can be encouraged to anticipate such buildups and to consider trapping as part of his harvest, this is the best possible situation. We do not need a huge force of licensed vermin exterminators, as advocated by the member for Wentworth (Mr. Isaacs), if we have the co-operation of farmers.

The member for Wentworth worried about the definition of the farmer. He need not. I would refer him to section 1(6) of the present Game and Fish Act. We hold that a farmer is a person who is either a settler, as defined in the subsection, or a person who is living upon and tilling his or her own land or land to which he or she is for the time being entitled. This is the common definition that applies to farmers under the Game and Fish Act.

While I am on the part concerning the hunter and the farmer, I must give full marks to the former Leader of the Opposition, the member for Brant-Oxford-Norfolk. He is not only a friend of the farmer but also a friend of the hunter in the farm areas. He made that quite plain and was quite firm about it in his very worthwhile contribution during the second reading debate on Bill 59.

A member talked too during the debate on the bill on age limitations in trapping. I think it was the member for Etobicoke (Mr. Philip) who asked that an age limitation of 16 years be placed on those members of the farmer's family who might trap. The member for Halton-Burlington dealt with that in considerable detail, and I think he covered it very well. If members will refer to Hansard, they will see that. It is my personal view that there is nothing magical or indicative about the age of 16. Even the Criminal Code of Canada allows permits to be issued to 12-year-olds for game hunting under certain circumstances. I also feel that this is the age at which learning comes most readily.

I would like to remind the members concerned about this. The person in question still requires the supervision of the farmer. The farmer cannot sell fur without a licence, which means he must ultimately handle all animals trapped and should therefore see whether the animals died under stress.

The member for Halton-Burlington has requested that the responsibility for the child remain with the farmer, the parent and teacher of the offspring. I think that was a

good contribution, because not only do many farmers like to take their boys or girls with them when they tend to their traps or whatever but also these young people like to accompany their parents. It is usually their parents, or it may be an uncle, grandfather or whatever. I think it is quite a learning experience. I, for one, certainly would not want to deprive them of the wonderful opportunity of that learning experience which is not available to many young people in the province.

There was considerable concern by people involved with dogs, field trials and training. A number of members, including the member for Brant-Oxford-Norfolk, raised the topic of providing for the training of dogs. I believe the amendment we intend to move in committee will attend to that matter.

The comments of the member for Brant-Oxford-Norfolk regarding the definition of hunting are interesting. Earlier I mentioned his very worthwhile contribution. His concern is that our definition of hunting is inflexible. Perhaps we should try to explain that in some measure, or at some length. His remarks are well considered and we will take them under advisement. However, I believe we have added the flexibility necessary to allow for nonharvest use of wildlife by adding section 24a, which deals specifically with chasing and which allows for separate licensing for this activity.

We have looked at the definition of hunting in other jurisdictions but have rejected the idea of introducing the concept of intent. Intent is almost always difficult to prove. Indeed, enforcement of such a section may be impossible.

Amendments concerning chasing, training and field trials have resulted from the requests of a large number of raccoon, fox and wolf hunting enthusiasts who train highly valuable dogs for this type of recreation. I might say it is a growing recreation. It is growing very rapidly. Incidental benefits are that this is a form of nuisance animal control that can be used during the no-trapping season. For example, farmers with cornfields actually call raccoon chasers for assistance. It has given rise to a hunting dog breeding industry that is surprisingly lucrative. Some dogs of appropriate breeding are going for several thousands of dollars apiece. The trials have become established and are visited by people from all over the continent. Therefore, they have become an important tourist factor, especially in the small localities that support them.

4:30 p.m.

The member for Welland-Thorold (Mr. Swart) sent over an amendment to section 29a which, rather confusingly, would make an exception to an exception. I would suggest to the member that the substance of this amendment seems to be filled by section 33(5) of the bill. I believe it would be more useful for the minister to prescribe what devices can be used rather than to prohibit trapping completely in any given area. I am sure this would also satisfy the member's good intentions.

We wanted to answer too the concerns of the Canadian Association for Humane Trapping. The member for Welland-Thorold and the member for Etobicoke asked why both the concerns of the Canadian Association for Humane Trapping were not all answered. I believe we have already seen that opinion is divided on whether a farmer's offspring should be limited by age while trapping. Another concern of that association will be incorporated into one of our amendments to be proposed.

The member for Etobicoke asked about our trapper education program. We have been working closely with the Canadian Association for Humane Trapping and the Ontario Trappers Association is supplying equipment and some manpower for courses across the province. The Canadian Association for Humane Trapping recently produced a fine film for use in these courses.

New trappers wanting licences will require successful completion of an approved trapper course as of June this year in the Algonquin, central and eastern regions of this ministry. The remaining regions are to follow in 1981. For reasons we discussed previously and for practical reasons, treaty Indians will be exempted.

The member for Etobicoke recommended that the government provide funds to animal control agencies in municipalities for the purchase of alternatives to the leghold traps. He proposes box traps. Unfortunately, if we funded every municipality in Ontario in this manner, or even the larger ones only, it would be far beyond our capacity. The traps in question cost more than \$50 each. New trapping devices such as the passive restraining device, known as the foot snare or live trap, will soon be on the market. I am sure we can have a look then at what will be a very practical suggestion from the honourable member.

Fines for the destruction of wildlife by pollution were suggested by the member



for Fort Erie (Mr. Haggerty). The example he used was the possible destruction of the tern colony. Terns are migratory birds under federal jurisdiction, unfortunately endangered by a development proposed by a federal government agency. I believe that development is a proposed helicopter pad. Our thinking is that fines likely to be imposed under the Game and Fish Act would be paltry and the cost of enforcing them very high in relation to a sizeable industry's cost of pollution control. It would be far better to prosecute pollution under the Environmental Protection Act which forces litigation and reparation.

The member for Grey (Mr. McKessock), the member for Kent-Elgin (Mr. McGuigan) and the member for Niagara Falls (Mr. Kerrio) all mentioned that more money for more management programs could be brought into the programs by tapping the sportsman's willingness to pay. I think the member for Port Arthur (Mr. Foulds) mentioned that earlier in his talk today. If I recall correctly, the member for Grey mentioned a fishing or angling licence specifically. The government is of the impression that the people of Ontario are generally in favour of an angling licence. I want to assure members the ministry is studying that concept. I am advised that enabling legislation would have to be made by the Governor General in Council under the Fisheries Act of Canada.

I want to deal with the amendments that certain members of the New Democratic Party, I am sure, will be proposing during debate in committee of the whole. One is pertaining to regulations. The provision for publishing any regulation 90 days prior to its coming into effect would destroy the flexibility required to manage wildlife in Ontario and add an incredible snarl of red tape to the regulatory processes. It is conceivable that a regulation could get hung up past the time it was required, or that amendments would also be subject to the 90-day wait. Since then, someone has sent one over talking about 120 days.

Wildlife management often requires the measurement of change in animal populations, the assessment of data and then the readjustment of seasons and limits by regulation for the next harvest season. Even with the processes at hand, time is often incredibly short between the point when the proposal is made by the resource manager and the beginning of the next harvest season.

**Mr. Foulds:** That is why you should plan on a five-year basis instead of on a year-to-year basis.

**Mr. Yakabuski:** I would point out that a similar provision as the one proposed applies to the labour safety act. I think in the labour safety act it is more relevant and more practical but yet, I am told, they cannot live very comfortably with it. Even though the process should be more practical in the context of that act, I am told it is not working all that well.

If it is the members' concern that regulations on some seasons were published late in 1980—and we have to concede that—I would point out that 1980 was a transitional year for some of our major programs. We hope to publish seasons earlier in the future. That is our goal, and I think we can achieve it. But if this amendment were to come into effect, we could not amend the regulation dealing with, for instance, the removal of ice huts early enough to encounter an early thaw and they would all go to the bottom. There are some years—and one doesn't have to come right into the southern part of Ontario to realize it—when people have to get those ice huts off by March 20 or they are in trouble. If we could not pass a regulation quickly, they would be in trouble. That is just one example.

I certainly would plead with the members of the New Democratic Party and any others who may have some concerns with regard to the passing of regulations that they reconsider that, because I think they would really snarl things up. We are in a transitional period. I think we are making progress; 1980 was the rough year, so to speak. If there were delays, I do not think members will be seeing any of those delays in the future that perhaps happened this year.

For instance, when it comes to deer and moose, we have to get the winter under our belt. That does not end until late March or April. Then we have to assess what happened during that particular winter, and our programs and our regulations for the coming fall have then to be put together. Ninety days or 120 days are certainly not realistic. I think it would create chaotic conditions. I have given members a number of good reasons and I plead with them to reconsider their stance on that matter.

4:40 p.m.

Finally, I want to deal with a comment by the member for Port Arthur. He mentioned that he was concerned that the bill really lacked principle. I might state that section 3 of the act has much to do with the purpose of the act. I might read it to him—I am sure

he has read it many times himself—just for the record:

"The purpose of this act is to provide for the management, perpetuation and rehabilitation of wildlife resources in Ontario, and to establish and maintain a maximum wildlife population consistent with all other proper use of lands and waters."

That is still the principle of the Game and Fish Act.

He also mentioned that the act does not deal with or recognize the needs of management. The act, as it stands, recognizes and provides for such needs, either directly or indirectly. With regard to the user-pay principle, this principle or concept applies as well to fisheries but not to wildlife. We have a lot of users of wildlife who do not pay, nor do we see any way of making them pay—for example, viewers, bird-watchers, et cetera—except through indirect taxation.

I think that winds up, to a great degree, our views on the statements made by various members speaking on this bill. In closing, I just want to remind the member for Riverdale (Mr. Renwick), who had some concerns about discussions and considerations with native people and other groups, that I think I dealt with that matter earlier in my reply about native people and the two federal acts, the Migratory Birds Convention Act and the Fisheries Act. Of course, this act does not affect native peoples and treaty Indians if they are in areas or taking game for commercial purposes perhaps. If they moved out of the treaty area and hunted, or if they took game for commercial purposes, then perhaps they would be subject to prosecution.

That sums up our reply to the various members' views on Bill 59.

Motion agreed to.

Ordered for committee of the whole House.

House in committee of the whole.

## GAME AND FISH AMENDMENT ACT

Consideration of Bill 59, An Act to amend the Game and Fish Act.

On section 1:

**Mr. Foulds:** In section 1 of the bill, under subsection 6, where you amend paragraph 30 of section 1 of the original act, what is a gin? Does anybody know? I know what it is when it is under the Liquor Control Act, but I do not know what it is when it is under the Game and Fish Act. I know what deadfall, snare, box, net, leghold, body-gripping and spring traps are. I would like to know what a gin is.

**Mr. Yakabuski:** Gin? There is De Kuypers and many other kinds, but I am told this one happens to be an old English type of trap.

**Mr. Foulds:** I do not find the answer satisfactory, Mr. Chairman. I think we need a clearer definition in order that we in this House know what kind of trap a gin is when we are dealing with it so that when the subsequent amendments come up in section 9 of the bill they can be spoken to with some intelligence. Unless the definition section is clearly outlined and we know what the definition section means, then I do not see that we can proceed with discussion of the bill with any reasonable intelligence. Does anybody know the last time a gin was used in Ontario?

**Mr. Yakabuski:** My information is that a gin is one of the original types of box trap or probably the first type of box trap. It is an English trap, an old-fashioned, English box trap and probably one of the first box traps used.

**Mr. Foulds:** Used for what species?

**Mr. Yakabuski:** I would think it would be used for almost any kind except the huge animals—the smaller species.

**Mr. Foulds:** Does anybody know the last time it was used in Ontario?

**Mr. Yakabuski:** It is a carryover, but it still could be used. There might be some hanging around at antique sales. Someone might pick one up and want to use it.

4:50 p.m.

**Mr. Renwick:** Mr. Chairman, perhaps the parliamentary assistant would advise me why it was necessary to extend the definition of officer to include all the police officers in Ontario.

**Mr. Yakabuski:** During my reply to the various members who spoke on second reading, I dealt with the enforcement. Perhaps I could go back to that.

We were talking about the new section which would provide a means of extending our enforcement capabilities. However, in this day and age all enforcement personnel should be properly identified; that is, properly uniformed, insured and properly trained in the basics at least of law enforcement.

The new provision allows us to recruit and train an auxiliary or deputy force from the interested public and, furthermore, to train and continue to pay a deputy force recruited from within the ranks of the Ministry of



Natural Resources who would not normally deal with law enforcement, such as forest technicians or fire control personnel.

It is our intention that trained deputies would work with full-fledged conservation officers, thereby adding a new element of safety to the work of an otherwise lone officer or extending the capability of our conservation officer force. Of course, it would take care of the need to enlist a larger enforcement body to enforce the sections of the act, because I think one of the more common things brought to the attention of the ministry when it comes to conservation is that we should have more in this province and this should help to deal with that aspect, at least in part.

**Mr. Renwick:** I do not intend to labour the point, but I do want to make the point and I want to make it as clearly as I can.

No one will dispute the last part of what the parliamentary assistant has stated, which is that in a province like this for the enforcement of this kind of an act in its very specific and meticulous detail, you need a significant number of officers who are qualified to enforce the act, and I emphasize the term "qualified to enforce the act."

I expect that any police officer, as an ordinary constable, is qualified to carry out a range of duties under the Police Act. I question whether we should be suddenly extending the powers of police officers to every constable throughout Ontario regardless of whether or not he has had any course of training or has any other kind of understanding of what is required to enforce this act. I say this is a very special kind of act that requires very special training and very special knowledge.

I say again, I am not going to labour the matter, but I would ask about this wide extension of authority to police officers without any correlative arrangements or any statement made in the House that yes, particular police officers are going to be qualified in this field and yes, in the Ontario Police College there are going to be specific instructions with respect to the enforcement of this act.

I go back to what I said on second reading of the bill: The bill is an immense grant of authority to a single minister and those operating under his authority. It is a very meticulous act, very specific, and you have to have very specific knowledge to enforce this act.

I find it quite upsetting that the ministry has suddenly extended it beyond the RCMP,

beyond the conservation officers and beyond just the Ontario Provincial Police to every officer in the province, without in any way indicating to me that the ministry is going to carry out any degree of training or that only those officers qualified to enforce the act are going to be used for the purpose of enforcement. This indiscriminate extension of powers under this kind of statute to every police officer in Ontario is repugnant to me.

**Mr. Yakabuski:** I believe the member for Riverdale partly answered his question when he mentioned there probably are courses available at the Ontario Police College. It is my feeling and my understanding that our ministry will be working with bodies like the police college to see that more and more of these people we are talking about who might be involved in helping to regulate and enforce the sections of this act will have specific training in the Game and Fish Act.

**Mr. Renwick:** I would like to think we lived in that kind of simple world. We do not live in that kind of simple world. What I am asking the parliamentary assistant to say to me and to commit himself in the House is that specific instructional courses will be given to those officers throughout this province who are now going to have the immense powers given under this act so that we can anticipate a qualified method of enforcement by persons who have the skills, the ability and the training to carry them out.

For example, I doubt very much whether every police officer in Metropolitan Toronto, by virtue of being a police officer under the Police Act, is automatically qualified in any way to be entrusted with the kinds of powers that are granted to well-qualified conservation officers under this act. That is my point. I simply want to say I consider it sloppy on the part of the ministry to bring in this kind of legislation this way.

**Mr. Yakabuski:** The member for Riverdale mentioned the Metropolitan Toronto Police Force and officers in that force. I feel that was not the best example. Granted, there could be times when any one of them might be called on to enforce some section of this act; on the other hand, I might mention that the ministry is working very closely with the Ontario Provincial Police and the Ontario Police College. We have a chap by the name of Cliff Copeland who is an enforcement specialist. He is employed by this ministry and is lecturing at the police college on a continuing basis. It is our hope and our goal

that we are going to cover pretty well everybody in the force.

Police officers from various forces are going in for refresher courses or whatever they may be at various times. I feel we are going to get to a lot of them because we have a specialist in the field working at it on a continuous basis.

**Mr. Renwick:** I have just one other point. I heard somebody mention something about the riding of Riverdale. We have a lot of raccoons in Riverdale. I can assure the member that you have to be a pretty skilled person to deal with a raccoon in accordance with this statute.

A little bit later on the bill says: "Subject to section 21 and notwithstanding section 23, the holder of a licence to hunt raccoon at night may possess or use a firearm of a calibre or type prescribed in the regulations and a light for the purpose of hunting raccoon during the open season therefor when accompanied by a dog licence therefor, provided that no person, while so hunting, shall use a light that is attached to a vehicle or is shone from or in a vehicle."

I am quite happy to lend myself for most purposes to the tender mercies of the police officers in the Riverdale area but certainly not for the specific purpose of my hunting raccoon at night in accordance with the regulations, with my light in one hand and my gun in the other hand and my licence to hunt conspicuously shown on my jacket and being dressed properly in accordance with the act. I think it requires a kind of special training.

5 p.m.

My point is simply that the ministry, with one stroke of the pen, has extended the scope of the officers who can enforce this right across the province. The parliamentary assistant has indicated that everything is just fine because only those officers who are trained will enforce the act. I doubt very much whether that is so. I doubt very much whether the one person at the police college, if he spent the whole of his time at that college, could possibly instruct the police officers.

I have nearly broken my rule, Mr. Chairman. I wanted to express very simply and clearly that the ministry should be very careful when they come into this assembly and extend law enforcement powers under a technical, difficult statute to every police officer in Ontario without some correlative plan for training and specialized qualification for those officers who, in most cases, will carry out the enforcement of the act.

**Mr. Foulds:** Mr. Chairman, the point my colleague from Riverdale makes is a serious one. It is serious in view of not only the powers he pinpointed but also those that are outlined later in the act. I refer to where an officer under this act, without a warrant, may seize goods, aircraft, implements, or what have you, just on the "reasonable grounds" that the officer believes the act has been violated.

What my colleague from Riverdale is pointing out is quite serious. To give that kind of sweeping power to an officer of the crown we should at least have the reassurance that all officers so designated know what the heck the act is about and that they have specific and specialized training on this act. This act is extraordinary in the powers it gives conservation officers.

I do not quarrel altogether with the powers being assigned to a trained conservation officer because of the difficulties they have to deal with, particularly in the north where one cannot call immediately upon the resources of a justice of the peace, a magistrate and so on. Those powers are important.

But the counterbalancing authority also is important. If an officer is to have reasonable grounds that a person has violated the act, then it makes sense that it should be mandatory—and no wishy-washy assurance in this House by the parliamentary assistant meets that qualification—that those officers have training before they are given such widespread and sweeping orders.

Section 1 agreed to.

On section 2:

**Mr. Chairman:** Mr. Yakabuski, on behalf of Hon. Mr. Auld, moves that clause b of subsection 1 of section 2 of the act, as set out in subsection 1 of section 2 of the bill, be deleted and the following substituted therefor:

"(b) to a person taking or destroying any animal, other than a caribou, deer, elk or moose or an animal protected under the Endangered Species Act, 1971, by any means that do not cause unnecessary suffering and at any time on his own land where he finds such animal damaging or destroying his property or, on reasonable grounds, he believes such an animal is about to damage or destroy his property."

**Mr. Swart:** Mr. Chairman, obviously, I rise to support this amendment, as I raised this issue when I spoke in the House on second reading. I asked the minister why an amendment to this section had not been proposed by the government and said I hoped he would give consideration to it. It is now before this



House from the government and obviously, therefore, I support this amendment.

The Canadian Association for Humane Trapping asked for this amendment, and although it is to some extent a statement of a principle—some people might even say platitude—I think it is important to have it in this bill, simply because it does speak rather clearly and puts the House on record rather clearly as saying that we are concerned about the humane treatment of animals. Without this it would be possible for the owner of a property to destroy an animal by other than humane means, by methods that might cause considerable and long-term suffering to animals that were caught on their property.

I recognize, as I am sure the parliamentary assistant does, that sections 400 to 403 of the Criminal Code legislate against cruelty to animals. Perhaps the reason the government did not put it in in the first place is that it could be said that was taken care of under that section of the Criminal Code. However, it is true to say there could be some contradiction between the two acts, the Criminal Code and the act of this Legislature, yet it may be said that the Criminal Code supercedes it. Certainly any lawyer taking a case to court would have used this section to say that the owner of the property has a right to destroy, by other than humane means, an animal that is causing damage to his property or he believes will cause damage to his property. This clears that up. It establishes the principle that this House is concerned that the treatment of all animals always should be humane treatment.

I am strongly in support of this amendment. Certainly it can be said that passing this amendment cannot do any harm. For the two reasons I have mentioned, I think it makes an improvement in the section of that act and therefore we will be supporting it.

**Mr. Haggerty:** Mr. Chairman, I have a little problem following this clause, "to a person taking or destroying any animal, other than caribou, deer, elk or moose or an animal protected under the Endangered Species Act, 1971, by any means that do not cause unnecessary suffering . . ."

What is being said there is that it is perfectly all right for one to go out and maim or wound a deer, elk or moose and, if it runs off, it is to be hoped that it will live and survive the wound. Yet a person on his own land may want to dispose of a raccoon, a skunk or something like that, and he must avoid what the amendment describes as "un-

necessary suffering." I look at that and say, regardless of which type of trap one is going to use, it is going to cause some suffering. Even a gun wound will cause suffering. It is pretty hard to define unnecessary suffering. I think it would be pretty hard for the officer to define that or really take a look at it and say whether a charge could be laid.

It is rather difficult when it states that one can go out and shoot a deer, wound it and let it run at large but, when it comes back to some other animal, there should not be "unnecessary suffering." Suffering will be on both sides, for the deer, the elk and perhaps for some other fur animal that may be causing some difficulties.

**5:10 p.m.**

I think it will be rather difficult to define "unnecessary suffering," when almost anything is going to cause suffering to an animal if one is going to destroy it in some manner. The same thing applies to slaughterhouses in some cases. The first blow may not really dispose of the animal; it may continue to suffer for a length of time. You know the arguments put up about seal hunters for example. They go out and hit small, innocent seals with clubs and they say there is no pain suffered. I am sure if somebody hit you over the head, you would suffer. I just bring to the parliamentary assistant's attention that it is going to be pretty hard to define that under the act.

In terms of unnecessary suffering, I think of when somebody leaves an animal caught in a trap of some nature. It may be there for three or four days and it may suffer. Animals do get caught in leg traps and sometimes they do escape by some means. They may chew off their own paw and it will heal itself. I have seen animals that have been caught by other hunters and they have a missing paw. To me, it is rather difficult to talk about unnecessary suffering, when the main intent is to destroy the animal in the first place.

**Mr. J. Reed:** Mr. Chairman, I have a question that relates to this amendment. Is the cause of suffering of animals not covered under the Criminal Code?

**Mr. Philip:** Try to get a conviction under that.

**Mr. J. Reed:** That may be a very good response, but I just ask the question. I am prepared to support this amendment of course. I hope we are not muddying up the waters as far as the law is concerned. When a prosecution is to take place, some choice

would have to be made under which act the charge might be laid. It is in the nature of a question, not a contradiction or a criticism.

**Mr. Yakabuski:** Perhaps the member for Erie (Mr. Haggerty) is not quite clear on that section. A person cannot take caribou, deer, moose or elk at all. He can take other species in defence of his property, but he cannot take any caribou, elk, deer or moose. Was he thinking of other game?

**Mr. Haggerty:** The point I was raising was that there may be conflicting viewpoints in this particular section. You can go out with all good intentions to shoot a deer in season or an elk or whatever it may be and you can wound it. The animal perhaps will run off into the bush and lie there suffering for days. All I am asking is whether unnecessary suffering should not apply the other way too as it relates to game.

**Mr. Yakabuski:** We are really not concerning ourselves with that particular matter in this section. We are talking about the animals that might endanger the farmers' livestock, property and so on. We are really not concerning ourselves with other species in this section.

**Mr. Swart:** Mr. Chairman, the parliamentary assistant did not answer the member for Halton-Burlington (Mr. J. Reed), who has stepped out at this time. I thought I had mentioned this and made it rather clear when I was speaking before but, in further answer to his question, I would just point out that if this amendment is not made, there then can be considered to be some contradiction between the Criminal Code and this bill. This bill provides that a person may take or destroy any animal by any means, which could be interpreted to include any means which provided cruelty to animals, and sections 400 to 403 of the Criminal Code legislate against wilful cruelty to animals.

In addition to what my colleague from Etobicoke has said, that it is very difficult to get a conviction under the Criminal Code on this, the argument could be put forward in court that under this act a person is entitled to destroy an animal by any means, which could be a means with an element of cruelty.

There are not very many people like that in our society, but it is possible that somebody might catch a dog or an animal that had been doing a lot of damage to his property, and say, "I will fix that; I will tether it to that tree there in the corner," and it would starve to death, without water, without food, over a period of a week. That may be farfetched, but I think there is a lot of

merit in having this act in accordance with the Criminal Code.

That is exactly what this amendment does and, if we do not put it in, there is a possibility of some contradiction. Although the member is gone now, I hope he is in a position where he can hear this explanation and that he accepts it, because I think it is accurate.

**Mr. Yakabuski:** I would like to thank the member for Welland-Thorold for his assistance on that one. I think he is absolutely right: it does make that distinction and helps clarify that.

Motion agreed to.

Section 2, as amended, agreed to.

On section 3:

**Mr. Foulds:** Is there any change for deputy conservation officers in this section? They are appointed under this section?

**Mr. Chairman:** Are there any other questions on section 3?

**Mr. Foulds:** Mr. Chairman, I am having great difficulty restraining my anger. When we get into clause-by-clause debate on bills, traditionally it is thought that when questions are raised, we are entitled to receive an answer. This bill, far more than most bills in the Legislature, gives enormous powers of authority to the people enforcing the act, to conservation officers and to deputy conservation officers, and the bill, more than most bills, gives the minister enormous powers to appoint those people.

5:20 p.m.

I feel it is our responsibility as legislators to ensure that power is used wisely and well, as the prayers at the beginning of each session of this Legislature daily indicate. Unless we receive some answers to very simple questions, such as what training a deputy conservation officer has before he is appointed by the minister, I am afraid we are not going to get very far in the clause-by-clause debate of this bill. I pose again my very simple question: What kind of training do deputy conservation officers have before they are appointed by the minister under this section and under what conditions does the minister appoint them?

**Mr. Yakabuski:** Mr. Chairman, I understand a course for deputy conservation officers is being established and it will be ready early in the new year.

**Mr. Swart:** Will it be compulsory?

**Mr. Yakabuski:** I am assuming it will be. If they are going to be deputy conservation



officers, they are going to have to be properly trained and versed in this act. I certainly feel it would have to be compulsory for anyone being appointed a deputy conservation officer. Before they are appointed, they would have to take this course.

**Mr. Renwick:** Mr. Chairman, I do not want to be technical and I do not like being technical with the parliamentary assistant on this matter, but I must pursue this again because it relates to the concern which my colleague and I expressed with respect to paragraph 20 of section 1 of this bill with respect to the extension of the definition of the term "officer."

I read section 7 of the Game and Fish Act, which we are in the process of amending, to mean that (1) the minister under subsection 1 may appoint conservation officers for carrying out this act and the regulations; (2) the minister may appoint deputy conservation officers in and for any part of Ontario—and that is the amendment that is included in this particular section of the bill; and (3) every appointment under subsection 2 shall be for the period stated in the appointment.

Then I looked for a definition of conservation officer, and there is not a definition of conservation officer. I looked for a definition of deputy conservation officer in section 1 of the amending bill, and there is not a definition. The only definition is officer. Paragraph 20, to which we were referring earlier, in section 1 of the bill before us says, "'officer' includes a member of the Royal Canadian Mounted Police Force . . ." any other police constable and so on.

My concern, therefore, is the worry that I expressed when we were talking about section 1 of the bill, paragraph 20, allayed by the fact that only those persons who are appointed by the minister can exercise the power of officers under the bill. Therefore, every police officer in the province who purports to exercise authority under this Game and Fish Act must do so by virtue of an appointment by the minister as an officer under this act.

If that is so, then I take that kind of clause to mean a very individual appointment. It would not be an adequate appointment, in my view, if the minister were to say, "I name every officer of the Metropolitan Toronto Police Force as a conservation officer or a deputy conservation officer in and for Metropolitan Toronto." I do not think that would be a sufficient designation. I would think he would have to name the specific constables he was going to have as deputy conservation

officers, just as I think he would have to name the specific conservation officers he appoints.

I am not one for obstructing the police in the performance of their duties, but I am not averse on occasion to saying to an officer who purports to exercise some authority against me, "Can you produce your appointment?" If I were sufficiently knowledgeable, I think I would say, "Can you produce the appointment by the Minister of Natural Resources that makes you a conservation officer?"

As I said at the beginning, I have known my friend the parliamentary assistant long enough that he knows I am not engaged in game playing; I am trying to illustrate a very real concern. As I read section 7 of the act as it is proposed to be amended by section 3 of the bill, in conjunction with the definition of officer under paragraph 20 of section 1 of the bill, I find great difficulty in understanding whether automatically every police officer in Ontario is an officer under the act when we pass this and it gets royal assent, or whether it requires the extra authority of an appointment by the minister.

I hope I have made myself clear, because I think it is extremely essential that everybody understands who can exercise these wide-ranging authorities given under this statute.

**Mr. Yakabuski:** Mr. Chairman, it is my understanding that these deputy conservation officers would not automatically become deputy conservation officers because they are members of the police force; they would have to be appointed.

The other thing that might take away some of the very grave and genuine concerns of the honourable member is that the deputies would be used primarily to assist fully trained conservation officers. I think it would be rare when they would be acting on their own. They are not conservation officers automatically; the minister appoints conservation officers and deputy conservation officers. However, all police officers in the province are officers within the meaning of the act. No appointment by the minister is necessary in the case of a police officer.

I think I mentioned there are courses going on for deputy conservation officers. There are regional courses at present on basic law enforcement which are done at the regional level. Collection of evidence and putting together a charge, if necessary, are very important factors in conservation. They are made quite familiar with the

Game and Fish Act. I am sure that during the teaching of the courses in question various examples would be used, whereby when these people do get out in the field, usually with a full-fledged conservation officer in most cases, they would be able to use good judgement and common sense in carrying out their important duties.

**Mr. Foulds:** Mr. Chairman, the parliamentary assistant is asking this Legislature to take a good deal on faith, and I worry about that. What he has told us is that any police officer, whether he has training or not, by the definition of this act is a conservation officer. That is what the act says and that is what he just told us. Any police officer, whether he is in the Metropolitan Toronto police, OPP or what have you, is a conservation officer under the definition of this act and does not need a specific appointment by the minister.

That worries me because, in spite of the courses he is talking about that are being started and administered, it could happen that any of those officers might find himself in the circumstances of enforcing the act without any training. That worries me for a number of reasons.

Second, he is telling us that under section 3 the minister may appoint anybody as a deputy conservation officer. That person does not need to have any training before the appointment. What we hope is that after the appointment he will get some training. The parliamentary assistant is trying to soothe us with the statements that most of these deputy conservation officers will be working in conjunction with a fully trained conservation officer.

**5:30 p.m.**

I can imagine the situation where we might have a deputy conservation officer working with a legally appointed, fully qualified officer, according to legislation; that is, an officer of the Metropolitan Toronto police who does not know a thing about the Game and Fish Act. That really does worry me.

What we have here, I believe are some fundamental principles that have to do with the way in which we administer, carry out and enforce law, on the one hand. On the other hand, what we have had is the failure of the Ministry of Natural Resources for years and years to have adequate conservation officers and to have enough so that we can protect our game and fish from those who illegitimately would exploit those resources. What we have here is a quick way to appoint as many people as necessary to

make the numbers look good so that we have adequate conservation officers in the field.

We may have adequate numbers after this legislation, but we will not have adequately trained people. Not only that, but the parliamentary assistant says to us he believes the courses are starting up at the beginning of January. My understanding is that once this act comes into effect there is still a hunting season going on this fall. I really worry, as a legislator, about the power we give to people like the Minister of Natural Resources. I really worry when we get into debate in this House and are legitimately trying to determine the limits of the authority that we are legislating when we get fuzzy and confusing answers from the parliamentary assistant.

**Mr. Yakabuski:** Mr. Chairman, we are really not dealing with any new principle in this amendment respecting conservation officers. The purpose of this amendment is to allow for remuneration. Members will note that in the old act the words "to serve without remuneration" were there. They have now been deleted. The amendment enables contract employees of the ministry to be appointed as deputy conservation officers.

The member is back to his concern about other things that are not really contained in this section.

**Mr. Foulds:** With respect, Mr. Chairman, they are. If you open up this section for debate, you open up the principle in the section for debate. It may be that the minister simply wanted to allow payment for these people but, whether he likes it or not, the principle that is embodied in the original legislation comes up for debate right now. If he does not have adequate answers for us, it is about time he had some or we had somebody who could do it.

**Mr. Haggerty:** I want to add a few comments to the debate. I can recall a few years ago when there were persons appointed as deputy game wardens, as I guess they were called at one time. There have been a number appointed within the Niagara Peninsula. The ministry has chosen persons who are knowledgeable in the matter of hunting and fishing and of the game laws of the province. Particularly, they are taken from hunting and sportsmen's clubs within the district.

I give credit to the sportsmen and hunting organizations, particularly in the Niagara Peninsula, that have put on a number of hunting courses and are dealing with regu-



lations relating to gun safety and hunting. They have done an excellent job in my area with youngsters coming into the organization who want to become hunters and fishermen. I see nothing wrong with this. I know they have not received any remuneration for what they have done.

In the Niagara Peninsula where there may be some requirements—and I am sure this applies across Ontario—for deputy game wardens or whatever one wants to call them, there are cases where there are not sufficient numbers to police the whole area. I see nothing wrong with appointing a few of these persons for emergency purposes. When somebody may raise a complaint, they would say, "Yes. I can get somebody in this particular area, in the regional office of Fonthill or at Point Abino, which is close by, and send them out to check out the complaint." He would be knowledgeable in this area and he could perhaps lay a charge. It would be just like a citizen's arrest, I suppose.

I suggest there are a number of capable persons who have gained knowledge in hunting and fishing clubs or organizations and conservation clubs who could be accepted as part-time game officers. I see nothing wrong with it. I have no problem in supporting it. Based on that, I support the intent of the amendment to the Game and Fish Act.

**Mr. M. N. Davison:** I have a question of the parliamentary assistant regarding the issue of training. Using the word "officers" in the widest possible context, the parliamentary assistant says he hopes and feels they will receive training. Would it be fair to ask the parliamentary assistant if these officers, again using the word in the broad context which seems to include almost every moving human being in the province, would be given training in their tasks equal to the training the parliamentary assistant has been given in answering questions regarding this part of the Game and Fish Act? Would that be a fair question to the parliamentary assistant?

**Mr. Yakabuski:** That could be said. Mind you, the training they receive might be even more intensive than that which the parliamentary assistant receives.

**Mr. M. N. Davison:** It could hardly be less.

**Mr. Yakabuski:** I really have confidence in our police forces, whether provincial, municipal or other. I depend on them very heavily. I do not think this thing can happen overnight. It is going to require some time to get

it into place fully. I think the members over there are concerned about the type and the fullness of the training these people will receive. I have every confidence they will receive it. I have every confidence that every police force in this province, including municipal, will shortly have a copy of the bill when and if it is passed. They will be alerted to the fact that they could be called on to act in a conservation area. In their refresher courses at the police college this will be gone over too. So much for the police people.

We already mentioned that the deputy conservation officers have courses being established and that these will be well under way early in the year. Although there may concerns, give us some lead time. Not in the fullness of time but much sooner, these questions will be resolved.

**Mr. Foulds:** Will the parliamentary assistant settle for half the fullness of time?

5:40 p.m.

**The Deputy Chairman:** Are you still on section 3?

**Mr. Foulds:** Still on section 3, I want to make it very clear that we support the appointment of additional conservation officers, whether they are full conversation officers or deputy conservation officers.

Second, we support the principle that a man should get paid for his work. Therefore, we support the objective rather than the principle of the clause that the deputy conservation officer should be paid. There should be that discretion that he is paid. We have no quarrel with that.

We have no quarrel at all with the idea of training and the expansion of that. We do have some reservations, as enunciated by my colleagues and myself that people who are inappropriately or inadequately trained should not be appointed. Basically, we are saying we would somehow like that assurance in legislative form as well as the goodwill of the parliamentary assistant which, I know, knows no bounds. His good intentions and those of his officials know no bounds.

But we are dealing with legislation here and there are those questions that need raising. If we had an annual review of legislation, we would feel more comfortable about going the steps of faith with the government on this one. I am not going to make a major issue of it; we are certainly not going to bring down the government on this clause. We might on one of the later ones, but on this one we will probably let it go through.

I would like to make a suggestion as well. With regard to the appointment of conservation officers and deputy conservation officers, it makes some sense to appoint a number of our native peoples, which I believe is one of the objectives of this section. I think those persons who act as guides are very well qualified to be appointed.

What I would like as a compromise when the appointment of the deputy conservation officers is made is that the qualification and training are spelled out in the actual regulations. That qualification could be experience. In some cases, experience is every bit as good as, if not better than, school training. That qualification should be spelled out in the regulations that also makes the appointment.

**Mr. Yakabuski:** The last things the member for Port Arthur raised are very legitimate. I think those things can certainly be taken under consideration and, further than that, I think they can happen.

Section 3 agreed to.

On section 4:

**Mr. Renwick:** Section 4 of the bill repeals and re-enacts section 16 of the Game and Fish Act; it is, as I read it, very unclear in its intent. I referred to the matter briefly on second reading of the bill and I want to elaborate a little on what my concerns are about the bill.

First, it follows along after sections 8 to 15 which grant extensive powers to the officers, that is, the enforcement persons named under this act, to deal in most cases without any process. For example, the grant of authority under section 8 is very broad. The grant of authority under section 9 is very broad. The grant of authority under section 10 is immensely broad. Let me quote it: "An officer on view may arrest without process any person found committing a contravention of this act or the regulations, in which case he shall bring him with a reasonable diligence before a competent court to be dealt with according to law."

Then we go on to deal with a number of other authorities so that section 16 in its context is part of the armoury of authority granted to the enforcement officers under the Game and Fish Act that we have to look at very carefully when the minister proposes to amend it. My concern is that in substance this amounts to a power almost of expropriation without compensation. I think whenever that happens we should be very extremely careful about the way in which the language is expressed.

Let me say at the beginning that there are inadequacies in the present section 16, but the amending section does not appear to deal adequately with the problems that are involved in it. Where an officer was going without a warrant to take any vehicle, vessel, aircraft, implement, appliance, material, container, goods, equipment, game or fish, where he had reasonable grounds to believe there had been the commission of an offence under the act, I would have thought that in those kinds of circumstances there was an automatic obligation on the officer to lay a charge. It would seem to me that is the best and clearest way to deal with it. When I first started to read the proposed new section 16, I thought that is what it would likely say, but that is not so. He seizes and then he investigates.

I do not mind his seizing and investigating to find out whether his reasonable grounds of belief are substantiated. In that case, of course, he could recommend that the charge be withdrawn. Here we have a situation, a hiatus, where a citizen of the province is likely to have any of this kind of equipment or material belonging to him taken from him and then an investigation takes place to determine whether a charge will be laid. The section goes on to say what will happen if no charge is laid or if any charge that is laid has been withdrawn or dismissed. It provides that the goods will be returned to the person from whom they have been seized in the initial instance.

At that point, I would have thought it all made sense as well, but then we go on to the additional provision in the section which states that where the ownership of any of these items cannot be ascertained at the time of seizure, they are "upon the seizure thereof, forfeited to the crown in right of Ontario as represented by the minister and may be disposed of as the minister directs." I do not understand what that means. I do not understand how an officer can decide at the point at which he seizes the goods who is the owner. If he cannot ascertain who the owner is, the goods are then forfeited to the crown and whatever steps that have then to be taken to reclaim property that has been forfeited to the crown must be pursued. That is not an easy process as anybody knows who has tried to get any property that has been forfeited to the crown returned to them, whether he is the rightful owner or not.

My concern is with the confusion in the section. I would seriously suggest to the parliamentary assistant that it should be re-



phrased and redrawn to make very clear that if this kind of seizure takes place under section 16 there shall be an automatic obligation to lay the charge which the officer on reasonable grounds believes has been committed. Once the charge is laid, the matter then goes before the court. When it goes before the court, there is a very simple process or very normal process. If the charge is dismissed, the person who has been charged can simply stand up at that point, or his counsel can stand up for him, and say, "Your Honour, what about the goods?" and he will get an order for the release of them back to the person who can establish they were taken from him. If the conviction is registered, then it is up to the decision of the judge as to what is going to take place.

5:50 p.m.

What I am getting to—and I think the parliamentary assistant understands what I am saying—is that if you did it directly in that way, you would not have the kind of problems which indicate here that you are going to get a seizure. You have to establish that you have reasonable grounds to believe an offence has been committed, or that the material has been the subject matter of an offence, and then you have an investigation.

I think it would be sensible for the minister to seriously consider standing the section down, consider the comments that are being made about the bill and other comments that colleagues of mine may wish to make, and see whether that would not be the most direct and efficacious way to deal with the matter.

I am always worried with the grant of authority to a police officer, in this case a conservation officer with all of the authorities under this act, who can take goods but not lay a charge. If the officer is required to lay the charge when he takes the goods because he has reasonable grounds to believe, then I do not worry so much, because in the ultimate working out it will be up to the court to determine the disposition of the matters.

Therefore, I think that in an endeavour to correct what was obviously and has turned out to be an inadequate section, section 16, by repealing it and re-enacting it, the ministry has fallen into a very serious trap. I would strongly urge the parliamentary assistant to make a specific provision that the charge will be laid by the officer who seizes. When the charge is laid, then let the court have the disposition of it.

As I say, at the risk of repeating myself, which of course I never do, I would like to

say that if the court says all right or the charge is withdrawn or dismissed, there is always a request to the court for what is to be done with the property. If there is a conviction, there is usually a decision by the court as to what will be done with the property, whether it will be forfeited or turned back in any event because the punishment has been adequate without the forfeiture of the items seized. I would think that would ameliorate to some extent the dangers which this kind of grant of authority gives to officers under the act.

I do not think it is too much to ask that the section be stood down for the time being, at 5:55 p.m., when the committee of the whole House will be rising to report, but not to report the bill. As the bill will have to come back before us again I say seriously to the parliamentary assistant I think there is at least some merit in the comments I made which would deserve consideration between now and the time when the bill returns to committee of the whole House.

**Mr. Haggerty:** Mr. Chairman, I addressed myself on second reading to section 4 of the act because I was concerned about the disposition of property seized. I question the discretionary powers that the minister has that he can direct in whatever manner he wishes to dispose of goods that have been seized.

I can recall an incident in my particular area where a chap was supposed to have been called out to hunt brush wolves. Someone had reported it to the conservation people at Fonthill and they sent out somebody. Apparently, they knew who the person was. They went in and all they did was look at the vehicle, which was a half-ton truck. He had a couple of guns and some ammunition in there, but there was no animal and they did not find anything he had shot out of season. A charge was laid. Apparently, he paid his fine in the courts, which was a substantial amount—somewhere around \$300.

When he went to get his guns, the conservation officer provided him with one of the guns and some ammunition. They gave him back the high-powered ammunition but they kept a high-powered rifle. To this day, he has been trying to get this valuable gun back. He has paid his fine in the courts and is willing to buy the gun back at whatever it goes for on the auction block. But somebody from the Ministry of Natural Resources says, "No. We are going to keep that gun for our own purposes." The purpose is to hunt wild dogs with that gun.

I believe once a person has paid that penalty, if there is a reasonable doubt that he was out to hunt or kill something out of season, if you are going to confiscate the equipment, if you are going to have auction sales, all equipment must go up on an auction block to be disposed of. That gun may be prized by the owner, something he can pass on down through the family. If he wants to obtain that gun by tendering at an auction sale, I think he should be permitted to do that.

I do not think the ministry with the broad powers it has can say, "We will dispose of it as we see fit; that is, we are going to hold it here." Perhaps much of the stuff that has been confiscated over the years has never been returned to the public but is sitting in some storage shed. I do not know. All I am saying is that, once the person has paid his penalty, the gun should be returned. If not, the rules that should apply are that it should go to an auction and that the person still has the right to get back that personal equipment.

When there is a reasonable doubt and they can go in and lay the charge without even having any evidence, that gives them pretty broad powers. I am not too happy with this section myself. I think it needs some revamping and perhaps some amendments to it. If you are going to have these sales, then all equipment that is seized should go to the auction block.

**Mr. J. A. Taylor:** Mr. Chairman, when this bill was being discussed in principle, I indicated an interest in saying something about it. My concern actually was in regard to this area that is under discussion, section 16, and the right of seizure without warrant and what flows from that.

In view of the lateness of the hour, I would simply like to say I have listened to the member for Riverdale (Mr. Renwick)

and I think he has manifested the concerns I had. I would ask the parliamentary assistant to take a look at this section. I think that would suffice for the moment.

**Mr. Foulds:** Mr. Chairman, I just want to follow on what the member for Prince Edward-Lennox (Mr. J. A. Taylor) has said. I think all of us in the House understand the purpose. Often there is very widespread illegal hunting—from aircraft, the use of aircraft for spotting, the use of moving vehicles and weapons, implements and so on. We sympathize with the necessity of enforcement, but I think we have some reservations, if I could express them as a layman. The reservation under paragraph 16(2) is that the investigation could go on forever, or for an indefinite period of time, and the property could be withheld from its original owner.

In the case of an aircraft, for example, a small airline could have an aircraft that was essential to its economic maintenance withheld for two years with no charge being laid. There has to be a very strict limitation on the investigation and the charge laid.

I prefer the suggestion that was outlined by my colleague from Riverdale because it is an extremely important principle that you must have some good reason for withholding property from a person. If there is not a charge laid after a relatively short investigation, then I do not see any valid reason for withholding his property from him.

The other point is the identification of the property.

**The Deputy Chairman:** Can I point out the time? You can carry on your discussions, I assume, when the committee sits again on this matter.

On motion by Mr. Foulds, the committee of the whole House reported progress.

The House recessed at 6:01 p.m.



## APPENDIX

(See page 3355)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

## HIGH-SPEED POLICE CHASES

**174. Mr. S. Smith:** 1. Would the Solicitor General indicate how many high-speed police pursuits have occurred in Ontario in 1979, 1978, 1977 and 1976, with a breakdown of the figures according to provincial, regional and municipal police forces? 2. Would the Solicitor General indicate, where it is possible to do so, how many of these pursuits resulted in the apprehension of the person(s) pursued? 3. Would the Solicitor General indicate the number of persons killed or injured as a result of these pursuits, with a breakdown as to police officers, persons pursued, and innocent bystanders? 4. Would the Solicitor General indicate the reason given for these pursuits, where that information exists? (Tabled May 20, 1980.)

**Hon. Mr. McMurtry:** a. Ontario Provincial Police:

The statistical information requested was not compiled in detail until 1978. However records for previous years contain the following information:

	Persons killed	Persons injured
1976	2	3
1977	0	18

In 1978 the force began compiling high-speed pursuit statistics as follows:

	1978	1979
Number of high-speed pursuits	986	850
Number in which persons killed	4	1
Number in which persons injured	57	45
Number killed—OPP	1	0
—Other	3	1
Number injured—OPP	31	24
—Other	45	38

The reasons for pursuit include: persons attempting escape from murder scenes, bank robbery, hostages and abduction, sex offences, drug offences, liquor, high rate of speed, no driver's licence, driving under suspension, impaired driving, theft, and theft of motor vehicle.

b. Municipal police forces:

Information concerning high speed chases is not available for municipal police forces. However, the Ontario Police Commission has asked all police forces to provide data regarding pursuits on a quarterly basis. The first compilation is for the period July 1 to September 30, 1980.

The form being used asks for the following information: number of pursuits; reason for each pursuit; number resulting in death; number resulting in injury; number resulting in property damage; number of persons killed—civilian, police; number of persons injured—civilian, police; amount of property damage—civilian, police; charges laid as a result of pursuit—Criminal Code, HTA, Police Act.

## FAMILY BENEFITS

**236. Mr. Blundy:** Would the Ministry of Community and Social Services outline the rationale for developing adequacy levels for family benefits recipients? Does the ministry have any intention to change this rationale in the future to reflect the shopping-basket approach to measuring support levels? (Tabled June 10, 1980.)

**Hon. Mr. Norton:** There are two components to the assistance levels provided by family benefits: the basic need levels and the special need provisions.

The pattern of basic need levels recognizes such factors as the increase in needs with age of children, the economies of scale associated with increasing family size and the extra needs of the disabled. The special need provisions include such items as the recognition of the actual cost of fuel and special diets; the provision of in-kind benefits such as free OHIP coverage, drugs, hearing aids and eyeglasses, and the possibility of municipal supplementary aid for shelter and other special requirements.

The general process of revising rates is first to determine the availability of funds through the government-wide process in which all competing demands for funds are prioritized and then to allocate these funds among the family benefits case load. Recent increases in basic needs have been across-the-board as inflation has adversely affected all the caseload.

The ministry has no specific plans to change this rationale in the future.

SOCIAL ASSISTANCE REVIEW  
BOARD APPEALS

**238. Mr. Blundy:** What is the status of a review on client access to the director's report in appeal cases to the SARB? Has a final decision been made on the issue of formally recording proceedings at appeal hearings of the SARB and if so, what is it? (Tabled June 10, 1980.)

**Hon. Mr. Norton:** There is no review, nor necessity for one since a copy of the director's report to the Social Assistance Review Board is always sent to the applicant in cases of appeals of the decisions of the director under the Family Benefits Act or the General Welfare Assistance Act or appeals of refusal to provide services under the Vocational Rehabilitation Services Act.

The Ministry of Community and Social Services Act provides that the oral evidence taken before the board of review at a hearing shall be recorded by notes taken by the members conducting the hearing or in such other manner as the board may direct.

It is the general practice of the board to have its members record the oral evidence by taking notes during the hearing. However, where it appears to the chairman that a case may be very difficult, complex or contentious, an official court reporter is provided by the board.

It is suggested by some that transcripts be taken in all hearings and it has been said that this would facilitate matters where an appeal of a decision of the board is taken to the courts. The board of review is not convinced that it is necessary or desirable that transcripts be taken in all hearings, or even in a majority of cases. During the fiscal year 1979-80, the board held a total of 3,907 hearings. In the same period, 15 decisions of the board were appealed to the divisional court of the Supreme Court of Ontario—i.e., less than one half of one per cent (0.38 per cent) of the board's decisions were appealed to the divisional court.

The Social Assistance Review Board is of the opinion that the lack of a transcript does not appear to impede an appeal taken to the courts. In a case heard in the divisional court early in 1977, the court made the following comments for the assistance of the board:

"I might, however, point out that under the applicable section of the Ministry of Community and Social Services Act, s. 7c (4) it is provided:

"The oral evidence taken before the Board of Review at a hearing shall be recorded,

"(a) by notes taken by or under the supervision of the member or members of the board conducting the hearing; or

"(b) in such other manner as such member or members may direct, in which case copies or a transcript shall, on request, be furnished upon the same terms as in the Supreme Court.

"It is patently difficult, and indeed impractical in most cases, for a tribunal of this nature to prepare a complete transcript of

proceedings before it. Recognizing this, the importance of the notes taken by or under the supervision of board members is manifest."

#### ENGLISH AS A SECOND LANGUAGE

**240. Mr. McClellan:** Will the Minister of Education provide the numbers and percentages of students in English as a second language/dialect classes, grade-by-grade and level-by-level, in all the school boards across the province? (Tabled June 12, 1980.)

See sessional paper 231.

**241. Mr. McClellan:** Will the Minister of Education provide the statistics of actual class size in English as a second language/dialect classes across the province, school board by school board, each year since 1974? (Tabled June 12, 1980.)

See sessional paper 232.

**242. Mr. McClellan:** Will the Minister of Education table the standards and guidelines developed by the Ministry of Education for admissions and programming in English as a second language/dialect classes? (Tabled June 12, 1980.)

See sessional paper 233.

**243. Mr. McClellan:** Will the Minister of Education advise how many teachers have been allotted to English as a second language/dialect classes at each level, grade-by-grade, by school boards across the province? (Tabled June 12, 1980.)

See sessional paper 234.

#### ASSESSMENT STANDARDS

**244. Mr. McClellan:** Will the Minister of Education table the policy standards recommended by the Ministry of Education for the use of psychological or intellectual assessments on children from non-English speaking backgrounds? Is there any policy requiring assessment of English-language competence before psychological or intellectual assessments are done on school children? (Tabled June 12, 1980.)

See sessional paper 235.

**245. Mr. McClellan:** Will the Minister of Education advise what educational assessments are now done on immigrant children initially entering Ontario Schools to determine grade placement? Is there a standardized table of equivalent certification used in Ontario? If so, will the minister table examples of the equivalent certification documents used by major boards of education in Ontario? (Tabled June 12, 1980.)

See sessional paper 236.



## EARLY SCHOOL LEAVING PROGRAMS

**246. Mr. McClellan:** Will the Minister of Education provide the statistics on the number of children in Ontario who are on early school leaving programs, by age and by ethnic origin? (Tabled June 12, 1980.)

**Hon. Miss Stephenson:** Statistical data related to the early school leaving program are gathered annually. These data are broken out by age and sex but not by ethnic origin. For the 1978-79 school year, the latest available, numbers of students on approved programs were as follows:

Age 14		Age 15		Totals	
Boys	Girls	Boys	Girls	Boys	Girls
278	178	1437	1004	1715	1182

**247. Mr. McClellan:** Will the Minister of Education table the policies, standards and forms if any, which have been developed at the provincial level with respect to early school leaving programs? (Tabled June 12, 1980.)

See sessional paper 237.

## GREENHOUSE PROJECTS

**249. Mr. Mancini:** What is the total cost to date to the government and crown agencies of the greenhouse projects associated with the Bruce Generating Station? (Tabled June 12, 1980.)

**Hon. Mr. Welch:** There is only one greenhouse project associated with the Bruce Generating Station. It is a joint venture in which the Ontario Energy Corporation is associated with five private companies. The cost to date to the Ontario Energy Corporation is \$300,000, for which it has received six of 25 shares in the joint venture. The cost to date to the Ministry of Energy is nil.

**250. Mr. Mancini:** What is the total cost of the construction of the greenhouses? (Tabled June 12, 1980.)

**Hon. Mr. Welch:** According to the Bruce AgriPark Joint Venture, which paid the costs, the greenhouse construction cost was \$209,816.

**251. Mr. Mancini:** How many acres are under: (a) glass; (b) plastic? (Tabled June 12, 1980.)

**Hon. Mr. Welch:** The Bruce AgriPark Joint Venture advises that it has the following breakdown of growing areas: (a) glass, 0.25 acres; (b) plastic, 0.00 acres; (c) fibreglass 0.50 acres; total, 0.75 acres.

**252. Mr. Mancini:** How are the greenhouses heated and what is the cost to date for fuel used? (Tabled June 12, 1980.)

**Hon. Mr. Welch:** The Bruce AgriPark Joint Venture indicated that its production test greenhouse is heated by an oil-fired boiler, to simulate water temperature expected from the Bruce Generating Station. The cost of fuel to date is reported to be \$75,239 (August 31, 1980).

**253. Mr. Mancini:** What has been the level of tomato production per harvest to date, and how many harvests have occurred (pounds per plant)? (Tabled June 12, 1980.)

**Hon. Mr. Welch:** The Bruce AgriPark Joint Venture advises that there have been two tomato harvests to date: (a) fall 1979 crop, average six pounds per plant; (b) spring 1980 crop (incomplete), expected average 12 to 14 pounds per plant.

**254. Mr. Mancini:** Will the ministry table the names, job description and their salary levels for all employees associated with the Bruce Generating Station greenhouse experiment? (Tabled June 12, 1980.)

**Hon. Mr. Welch:** The Bruce AgriPark Joint Venture has engaged Mr. Peter Van Tuyl as the grower for the greenhouse. It is the decision of the owners of the joint venture and their staff that details of employee salaries not be made available.

## SECONDARY SCHOOL PROGRAMS

**255. Mr. Bounsall:** Will the ministry table the number and type, of programs or courses dropped and initiated by the boards of education at the secondary school level for each year commencing with 1976-77, when funding from the ministry started to decline, through to 1979-80? (Tabled June 13, 1980.)

See sessional paper 238.

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, October 14, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, OCTOBER 14, 1980

The House resumed at 8 p.m.

## BUDGET DEBATE

(continued)

Resumption of the adjourned debate on the amendment to the motion that this House approves in general the budgetary policy of the government.

**Mr. Breaugh:** Mr. Speaker, it is a traditional pleasure for members on the opposition side to join in what is known in the trade as a budget debate, where the members have an opportunity to offer an analysis, fair and in all cases balanced in perspective, on the current fiscal policies of the government.

This evening I thought I would take a little time to do what members traditionally do in the budget debate, and that is to make other members aware of some issues of local importance, to exercise some of my responsibilities as the health critic for an opposition party, and, in general, to look at what I would consider to be major items of concern, particularly reflected in the attitudes of this government in the way that it spends the taxpayers' dollars.

It is reasonable to say there are three major areas that are of concern to me and to the members of the New Democratic Party in this fall session. I think it is obvious to anyone who had even a casual look at a newspaper this summer that the whole matter of the industrial sector of our economy, of plant closures, of layoffs, of plants going out of business for a variety of reasons, is one that has been in the forefront over the course of the summer, and appears to be continuing to be so on into the fall.

We also want to spend a good deal more time than perhaps anyone has spent in the past dealing with the matter of women in the economy, the roles they now play, the expectations they rightfully have which we, as a political party, think are fair and reasonable and ought to be reflected in the kind of budgetary considerations the government goes through.

I also want to spend some time on health care. Although we have devoted a lot of time and effort in this Legislature over the

last year or so to matters concerning the health care system, and we have had a federal inquiry, and that inquiry has now tabled its report, the Hall report, we have not yet heard a response from this government on whether it agrees, disagrees, intends to implement or intends not to implement any or all of the recommendations in the Hall report.

The attitude this government has towards our own economy, towards our own people, towards the expenditure of tax dollars is, I think, probably best summarized and is reflected most neatly—if not most politely or nicely, at least neatly—in a little boondoggle that was put out this spring about whether or not it is going to change, adjust or put in place a new program to aid senior citizens.

It has a new name for this, and has spent considerable amounts of money advertising in the print media and over the airwaves, over the course of the summer, a new tax program for pensioners. In all of that, if one has watched the ads on television and listened to them on the radio and read them in the newspapers, one would tend to get the idea, at least I did and so did a number of my constituents, that all senior citizens were going to share equally in this new provision of a benefit plan for senior citizens.

Members of this House may know things the public at large does not know. We were aware, when the legislation was put through in the spring session, that there were certain exemptions written into that program. Specifically, there was an argument in here and in committee about whether this government could afford to extend those same privileges to all our senior citizens or whether it somehow had to find a means of restricting it, in theory at least, for budgetary reasons. The government decided it could only provide this kind of service for certain seniors. It said those who are in nursing homes do not deserve to get the tax credit while those who live in their own homes do deserve it.

I have had a series of letters back and forth with the Minister of Revenue (Mr. Maeck), who was implementing this program, about the advertising campaign he ran. A number of my constituents were rather upset and I take it that in other parts of the prov-

since the same feeling was shared. They saw an ad on TV. Those in nursing homes watch television as well as everybody else. They saw there that the government of Ontario had a brand new program in place for them. They saw a nice gentleman walking down the road with a dog, and he was showing how happy he was to live here in Ontario. He wanted everybody else to know about it too. That is why this government spent so much advertising money to convince the people of Ontario it really did have the best interests of the senior citizens at heart, that everybody did have a brand new program which was fair and equitable, and that everybody could share it. What it forgot to tell them was that some of those people are excluded.

As a matter of fact, in nursing homes in my area they sent the application forms to people they knew would not qualify for it. They sent letters to the administrators. They gave them little brochures to hand out. They had nice posters for the walls in the nursing homes. All of this was a cruel little twist of fate because all these people are senior citizens and they thought the government would not send them this nice brochure if it did not really mean to come across, if it did not eventually intend to give them a tax credit like everybody else. But nowhere in the advertising campaign, nowhere in the print media, nowhere in the literature mailed directly to the senior citizens did they include a little clause that said "except for these groups." They forgot to mention that.

I wrote letters to the minister in the spring. I raised some questions in the House. I wrote letters to him during the course of the summer. The minister actually agreed they had forgotten to mention that some senior citizens would not get the credits. But they had spent millions of dollars in advertising in print and mailing material to convince everybody they would get the credits.

Is it true that Ontario could not afford to provide the same benefit to all our senior citizens? I doubt that, although that was part of the argument I heard in the spring session. Is it true they really sincerely feel senior citizens living in a nursing home have got it too good, that the small amount of money they have for a disposable income to last them over a month is too much money, that they are throwing it around? Maybe they do; I am not sure. But in the nursing homes I have been in, and I have been in all of them in my own riding, and quite a large number of them across this province, I have not seen people sitting around with large disposable incomes. I see people there

of rather modest means to whom \$40 or \$50 a month is a lot of money.

Maybe to ministers of the crown it is a fair buck but nothing to be concerned about. Perhaps ministers of the crown do not realize that small amount of money is all some people have. For many of them, when they see a big program announced by Ontario, they suddenly feel that somehow they have a little something they can put away. So in July and August when they see ads saying they are getting a new tax program and the administrator of the nursing home comes around and shows them this wonderful thing sponsored by the government of Ontario with the little trillium there and the minister's name on the bottom, they believe that.

They have a tendency, too, to start thinking about spending a little bit more than they would have spent previously. The cruel aspect of that is that they will probably not find out they do not qualify until after they have gone through all of that machination of filling out the form and sending it in. Yes, they will get a partial piece of business out of that program which allows them a sales tax exemption of, I believe, an amount of about \$50. But they do not qualify for that property tax credit like the other seniors in our society do, and like the television ads, the radio ads, the newspaper ads, the big posters in the nursing homes and the letter from the minister all say they do.

Maybe that, in part, is an example, an unfortunate one, of the kind of fiscal policies this government has. It seems to me, and it seems to a lot of those constituents I just spoke about, that what this government is concerned about is a good public relations program.

8:10 p.m.

If they convince people there isn't any problem in the health care system, or there isn't any problem with senior citizens, and they do so using the force and magnitude of an advertising campaign of that size and scope, then that solves the problem for them. They don't have time for the little person at the other end of the system, they don't really have time for senior citizens and their needs, they have time for the public relations program. They have time to write back to an opposition member that, "Yes, we did really forget to mention that in the course of our advertising campaign. Yes, we will now put out a big manual which explains to nursing home administrators that we forgot to mention this stuff to your folks. Now you break the news to them."



On the plus side where the government can pick up some political advantage it has all the power and influence and money it wants. On the negative side when it comes time to say to a senior citizen living in a nursing home, "Sorry, you don't qualify," that seems to be a job that is relegated to somebody else. The administrator of the nursing home will be the bearer of bad tidings.

I want to point out how efficient the government is too. I thought for this example I would go directly to the fanciest letterhead in the House, the one that belongs to the Premier of Ontario (Mr. Davis). I wrote to him last January about some local concerns I had, some of which are quite large and extend beyond my own riding, but were concerns about the region in which I live.

I mentioned to him there were probably three priority items in our area. There is a need for an improved transportation service. There is a need for some additional bed space in our homes for the aged. There are a number of other needs which are in place in the area, but some really are priority items. Nine months later, the Premier got around to replying to this. I think the reply is interesting because again it speaks to how this government functions, where its priorities are, and in particular, where its economic priorities are.

For a number of years in our area we had talked about trying to develop in Oshawa and the Durham region a community all by itself, a community where people could live, work and play and get an education and have recreational facilities but which was relatively self-contained. In the mid-1970s this government decided it didn't like that idea and so it spent considerable time, effort and money convincing people from Metropolitan Toronto that they ought to go and live in the region of Durham. They put in a big housing action program and they announced a go-east program and they did a number of things that would encourage citizens from Metropolitan Toronto to move out into the Durham region.

All of this I suppose is fair game even though I did disagree with it at the time and I know a number of people on the council at that time disagreed along with me. Seven or eight years later we now have a high percentage of our population, about 20,000 people according to some estimates now, who commute regularly back and forth to Toronto.

It occurred to some of us that when you are concerned about the cost of energy, traffic patterns and transportation problems in

general, it might be a little more efficient and certainly considerably more convenient if one took an existing facility such as GO Transit, which runs a train service that stops at Pickering, and simply extended that out to Oshawa. For many of us, and I am included in this group, we really didn't care whether that terminal point was Oshawa, Whitby, Bowmanville or wherever was convenient, cheap and efficient. We saw the railroad tracks on the ground, we saw the trains stopping at Pickering and we saw all those people unloading out of the trains at Pickering into cars and buses to be transported throughout the rest of the region.

Many of us have discussed at great length the concept that I mentioned in my letter to the Premier—would he consider extending that GO rail service a little farther to the east. There have been a number of suggestions made. The province has gone so far as to appoint another study of whether or not this commutershed serving the Toronto area is going to get rail service. Some of the estimates I have seen from MTC staff say that to do what the province wants to do in providing that kind of transportation facility is going to cost in the order of \$58 million at least.

There has also been another proposal made by several people in the area that they use, not the CN lines where there are some problems about the track bed, the traffic patterns, freight patterns and all of that, but the CP line that is there. The cost of that is estimated at somewhere around \$1 million.

I think it is worth pointing out that the government of Ontario is not interested in something that could be done that cheaply. It is opting for the larger study and it takes the government nine months to say that. I am still not sure precisely where the government of Ontario stands on that matter because I hear local government members saying they are strongly in favour of that. I have had conversations, we have asked questions and we have all seen what the Minister of Transportation and Communications (Mr. Snow) says about that. He says, "Nuts to that idea." If he is in his polite form, which he sometimes is, he will say, "We will put it off to this study and see what happens with it." In the meantime they are working up the argument that it is far too costly. That seems to me a strange way to set up your economic priority.

The other interesting point that is mentioned in the letter to me from the Premier is that he is talking about homes for the aged. He says something that is a little

remarkable because the Premier of the province says we have more homes for the aged beds per 1,000 population than the provincial average. Somehow this is taken to be a sin. Somehow the region of Durham, in providing for elderly people who need this kind of accommodation has violated the code.

Somehow there is a new formula at work because in the past we have taken time and money out of our municipal coffers—and a number of volunteer agencies play a large role in setting up these homes for the aged—and we are going to be penalized, despite the fact we have in excess of 300 people on the rolls right now who need this kind of accommodation. The Premier is saying to me in this letter, “Never mind what people in the region of Durham have done in the past, you have done too much. The rest of the province is a little bit behind you so your people will just have to suffer a little bit longer.”

There are a couple of other interesting lines in here, one of which I would like to point out. He says, “There is a need for a network of services such as senior citizen housing and home support services.” I know that; so does everybody else who lives in the region of Durham; so does everybody else who lives in the province. The Premier is not saying they are actually going to do anything about it; he has simply identified a need that members in this House, I think from all sides, have pointed out to him for some time.

As a matter of fact, once again we might turn out to be penalized for doing something on our local initiative, because you will find most of the kinds of network programs he is talking about in his letter to me are already in operation. They are badly underfunded, they are a little spotty in parts and not every citizen in the region of Durham has access to those services, but the framework is there.

The interesting thing I found is there is not one word of intent on the part of the Premier or his government to do anything about it. He is simply saying to me, “Your people in that area did too much for people who needed that kind of accommodation in the past. Therefore, you can sit and wait until everyone else catches up.”

The last part of the correspondence from the Premier is interesting as well. A number of people in the area, the city, the region, me, several other members in the area have talked about a project called Seaton. This is a project, for other members who may not be quite familiar with this, which has had

about five names now. It has gone from one to the other.

It used to be called Cedarwood. The House may recall in the very early stages the minister of the crown found himself in the somewhat embarrassing position of having sold some property to the province and there was a little foofaraw at that time. Well, that little thing got hooked into the Pickering airport and that got hooked into something called the North Pickering project. Now it is called Seaton. This idea is as nuts now as it ever was. A change of name isn't going to make it any more rational.

We are having some difficulty in our area, even though a number of municipalities have purchased industrial land over the course of the years, even though we now have it ready for marketing and for services which are necessary, attracting new industry to the area. There are lots of good economic reasons why that is a little bit slow these days. The project of Seaton, if anything, is going to damage those municipalities who had the foresight to acquire and to prepare industrial land. Yet the Premier is somehow using this as being a good argument for something that would boost the region of Durham.

I recall the first regional council meeting I went to in the region of Durham. The first order of business that the staff brought in before the regional council was a new plan which the province was fostering called the York-Durham sewer system. It was to be, I think, about the world's largest sewer pipe, eight feet across and would cost astronomical amounts of money. On the first day of the regional council meeting the members were to look at this. Most of us had never heard of it before. It turned out it was a project that was necessary for the region of York. It didn't have a great many ramifications for the region of Durham, but would be used in our area.

8:20 p.m.

After all of the machinations, one of the first orders of business of that regional council was to attempt to take the province to court to stop the project or at least to get some negotiating room. It's interesting to note that now the plant is in operation and at the end of all that time, we have three surplus sewage treatment plants in our area. I am not too terribly sure what should happen to those.

It's interesting to note that now the plant is in operation, some eight years later, there still is no agreement between the region of Durham and the province about the sharing of the costs for this kind of project. It's inter-



esting to note that at the end of all this some engineer came down, I think from Guelph University, and said, "It's all very nice but the design of it is wrong and you have got treated effluent which will go out and get sucked back into two municipal intake pipes in that area."

We may have created here the world's largest sewage treatment plant and the world's largest pipe; we may also have created through the services of the taxpayers of Ontario one of the largest pollution sources for local intake pipes and local water systems in the region, an interesting piece of business, an interesting study on how this government functions, how it co-ordinates its activities with local needs and local desires.

Do you build something of that size for local needs and then do you arrange a shared-cost arrangement for putting the services in the ground in the first place and then operating the facility in the second place? I think, at some point, that one is going to come back to haunt this government although there are those on the other side, I suppose, who would say that it provides the capacity for housing. The interesting questions are what industrial growth and what housing? We may soon hear the government making arguments that this Seaton project which the Premier mentioned in his letter has to go because they have excess capacity in the York-Durham sewer system. An interesting argument one sees with that.

I want to change this a bit because I do want to speak, just briefly but I want to spend a couple of minutes anyway, talking about the industrial sector and the kinds of problems that are going on there.

This afternoon we saw the Minister of Labour (Mr. Elgie) rise in this House and admit once again that yes, there are problems in the industrial sector, and yes, there are problems where plants shut down. There is considerable difficulty in how this government deals with those problems and I think in part there is a philosophy problem at work. They are not quite sure how a government which on one day appears before the chamber of commerce and portrays itself as a champion of free enterprise somehow gets around to the basic work of a government and says the next day, "We may be the champions of free enterprise but we can't really let them do whatever they want to do." I think that partially goes back to a problem in Ontario politics. There is no political party in this province which is really a purely free enterprise political party because that doesn't make sense to the people of this province. That's essentially why.

The government of Ontario had some embarrassing moments this summer. Some of them were in Oshawa at Houdaille. Some of them were in the Premier's backyard at a plant called Tung-Sol. Some of them were in Windsor. Some of them were in Atikokan. They were spread generally throughout the province and the problem is of a size now that this government realizes it has to do something. The interesting question is, what are they going to do?

We saw the answer to that this afternoon. We saw that the government of Ontario is concerned. That isn't really news, but more than being concerned, what are they intending to do about it?

In this Legislature in the spring session we had hearings dealing with the closure of another plant in my area, Firestone in Whitby, and at the end of our committee session I put a series of about seven recommendations for the committee to consider. They weren't new by a long shot; they were things that have been talked about in our community for a long time. They were things the trade union movement has tried to get in this province for a long time. They were things that workers in general have said were problems for them when a plant either closes its doors or announces it is going to close its doors. They were about things like portable pensions, hardly a new idea in this province, but something which is of vital concern to a worker who is displaced and must seek another place of employment and finds the sad fact that his pension fund can't go with him, that in fact it may be a useless piece of paper he has there.

They were about things like severance pay which one can't find in the Employment Standards Act in this province because it isn't there. There is no such thing as severance pay unless you can play catch-up after the fact and have the union or, in some cases, individuals who may have the power to negotiate something which could be called severance pay. But that concept isn't recognized by law in Ontario.

There has been some discussion. One of the first positions of defence on the part of the government was to say that if that was important, why did the unions not negotiate that a long time ago. The minister today gave an interesting statistic. I think he said something like 28.4 per cent of the agreements that have been negotiated in the last 10 years or whatever had a provision for severance pay.

I do not know why an organized worker, for example, would want to negotiate his or

her own demise. It seems to me that is not something which is in the forefront of workers' minds. It is also true that a large number of our people, more than two thirds of them, are not organized, and even among those who are organized there are a lot who cannot sensibly put a demand like that on a bargaining table.

They are people who are well behind the industrial average, who maybe are organized for only a few years or maybe it is a first contract. I cannot see going to a membership on a first-contract basis with severance pay as one of the priority items. This is the first organized contract they ever had and what happens if the plant closes its doors?

I am having some difficulty understanding how that is even relevant to the discussion at hand. We saw the cruel facts on Wolfe Street again this summer when a company like Houdaille decided through its American owners to close its plant down. The only protection a worker has is his or her union, and the only thing that comes out of that is if that union has the moxie, the will and the muscle to get in and negotiate or at least create a stink, then there is a possibility that severance pay will come out of it. But if the worker does not have that, there is no hope in hell that anything of the kind that Houdaille workers got will happen for him.

I noticed this afternoon the Minister of Labour said his mediator negotiated the severance pay for the Houdaille workers. I am not sure we all need to be labour lawyers or good students of labour law in Canada, but a mediator does not negotiate anything. A mediator mediates. If one wanted to examine carefully the role of this government in the Houdaille situation, he would be hard pressed to identify what the government did do. Anything that was done was done behind closed doors. Anything that was done clearly was not done because the government wanted to do anything, but simply the fact that it was beginning to stink out the joint. They had a plant in Oshawa with 200 workers inside and some owners somewhere in Florida, and they did not know what to do. After two weeks of occupation of the plant, they decided maybe we should all get together in the hotel rooms in Toronto, which is the normal course for the government to take.

There was a settlement reached in that instance, but it had nothing to do with the government of Ontario. It had everything to do with the union that was involved—the United Automobile Workers—and its ability

to bargain. This was so, even though there was no provision for bargaining at that point, and even though they had no legislative support or even a framework upon which to hang their hat. It was just brute raw political power that was exercised there.

I think there might be many but I would be one who would say that the UAW is one of the better organized and stronger trade unions in this province. It was not able to negotiate the continuance of that plant. It had to accept the sad fact that an American owner could say "Close the doors" and the doors will close.

It is an indictment of this Legislature that this afternoon we should be treated, through a Minister of Labour, to such a weak-kneed proposal. It may be that in sending that whole matter of plant closures off to committee that some good will come of it. It may well be that when the minister rose this afternoon to explain all of his concerns and good intentions he simply did not know what to do. For us on the opposition side there is no alternative but to accept that as being the truth. He did not know what to do with it, so he will whip it off to committee.

I think there will be numerous suggestions from this side of the House about what specific kinds of legislation ought to be put in place. I want to point out before anyone starts to work on that committee that these are not unusual notions. These are things which are now the practice in other jurisdictions. They could, should and probably will happen in this province. But they will only happen when this government gets pushed to the wall. That is the only way anything ever happens in this province.

8:30 p.m.

I read two things this week which seemed to fall a little awry—they do not quite jibe. One was the opening remarks the Minister of Industry and Tourism (Mr. Grossman) at the estimates of his ministry. This House has a service called Hansard and it records each and every word the members put out. So I was a little taken aback this week when I found on my desk a rather lovely little piece of business in nice green trim with the crest of the province. It turns out that this is the minister's opening statement before the estimates committee.

I wondered why he went to all the time and bother to have this printed. One cannot even find the union logo on the thing. But somewhere in here is the basic notion that if the province, through one of its ministers, says it in good words and prints it up nicely and flogs it about the land, the problem will



be solved—a simple identification is required. That is not my version of how things happen. I appreciate that the minister's speech reads well and I like the nice titles that are here so that it is easy to identify all the areas of concerns. It is all very racy stuff but it does not do a damned thing for any of my workers. Not one job is provided by this public relations program that is at work here.

What is interesting is to read the contents of this because it does identify the problem areas. It does say, for example, that in the auto industry we have not done enough research and development. That is not news to me as a member of this Legislature; it is not news to the people of my constituency who work in automobile plants putting cars together; it is not news to people in the industry. What is a little different is that I recall a couple of years ago this same minister would hardly admit that was a problem. At least he is now admitting it.

I want to point out that I also read this week something from Walter F. Light, president and chief executive officer of Northern Telecom Limited, to the Financial Post conference on research and development. It is called High Technology, Now or Never. It is not quite as fancy a piece of paper as the minister put together and it certainly does not take as long to say much the same thing, but it does put on the record the other side of the coin. Though I am not a fan of Northern Telecom or anybody else in that sector, I do give credit where credit is due. Northern Telecom has established not only a reputation but the fact of a Canadian company which does research and development and which does it well and has been successful.

Here is a quotation this gentleman puts on the record in this particular speech: "Japan, rising from the depths of almost total industrial devastation, is in the process of surpassing the United States as an industrial power, and even though Japan's unionized labour costs have risen to par with those of the United States, Japanese companies have consistently raised productivity and expanded their ability to produce quality products at most competitive prices in all world markets."

From another point of view, from a perspective quite different from mine, someone has come to much the same conclusion. If any country is really to develop its economic sector, to develop its industrial strength, it has to plan and work together. That means that unions, industrial leaders and government must all be headed in the same direc-

tion at the same time and they must have clearly decided what their priorities are. They must have clearly established where their market potential is likely to be. Then they have to put all that together in a plan. More than that, they have to implement the plan. If a country does that, Japan being a prime example, it will be successful.

If we sit around and pass out little copies of the opening statements of the minister and hold little seminars here and there, we will never get the job done because we will have time to talk about the problem but not the desire or the willingness to do anything about it. That, I think, is a major problem this government has yet to overcome. It is not that it does not know what to do, it is just that it cannot seem to make up its mind. Some days it is tough, some days it is not so tough, but rarely is it successful at providing any diversity to our industrial sector or any research and development of any size other than some tokenism, and taking something like the auto industry in this country, which essentially is the auto industry in Ontario, and solving some of its problems.

Because of a fair amount of political pressure from this side of the House, this government now recognizes that its industrial, and particularly its auto, sector has some very severe problems. It is now paying some attention to that. I recall three years ago in this House it was a little difficult to get the minister to show much interest in something like the auto pact. Now they monitor it and produce reports, but I am not sure I have really seen any clearly defined plan of action for Ontario.

Another matter I want to talk about this evening was brought home to me the other day in my constituency office. I had a young woman who came into the office and, like a number of young people in my riding, in everybody's riding, she wanted a job. This woman had been out of the work force for some considerable period of time and did not have the formal training that a number of companies expect from their employees before they even start these days. We went over the job potential in our area, in the Durham region, for women who are in that position. A growing number of women, for economic reasons, for personal reasons, are attempting now to get back into the work force. It is a tough job.

Young men in our area are facing economic prospects which are not very bright either, but in addition to that it seems a woman has an additional burden: the traditional job roles are still laid out for them and

the traditional expectations of some differential, especially in terms of wages between women and men, still exist. They not only exist, but quite openly exist, and even though we have had a lot of discussion in this House and even a private member's bill to deal with this whole matter of equal pay for work of equal value, that bill is still not law in this province. Though God knows we have tried to make it law, it is not a reality in this province.

**Mr. Sterling:** Do you believe in it?

**Mr. Bounsall:** Sure he does, but you don't; you know you don't but you wouldn't admit it.

**Mr. Breagh:** That is an interesting little exchange, Mr. Speaker. For many people in our society, we seem to think that some measure of fairness is the bottom line. That is where all of the members on all sides would stand. I think it is interesting that in this House in this day and age, a Conservative member can quite openly and freely say that he doesn't believe in equal pay for work of equal value.

**Mr. Sterling:** I believe in equal pay for equal work.

**Mr. Breagh:** I am sure that Mr. Sterling could give us all a long account and a rationalization of why he would make such an outlandish statement.

**Mr. Sterling:** Bring your secretary in.

**Hon. Mr. Pope:** She's worth more than he is.

**Mr. Sterling:** She's worth twice what he is.

**The Deputy Speaker:** Order. Order.

**Mr. Breagh:** Mr. Speaker, I simply want to point out, and I don't know what it is like on the other side of the House, that the members on this side of the House don't have secretaries. I have a legislative assistant here and a constituency assistant back home. One is male and one is female, both get paid roughly the same amount of money and both do roughly the same kind of job.

I think we are into the kind of problem that women face in the work force all the time. Change the title, change the name, give it a different job description, but in reality it is still the same thing. For a woman who is beginning her career in any kind of endeavour, the first problem is probably going to be a substantial wage differential. Somehow, in this day and age, government members seem to think that is okay, are quite happy to speak freely and openly about it and to put as the position of the govern-

ment party of the day that there ought to be differences in wages between men and women.

**Mr. Bounsall:** Based on sex alone.

**Mr. Breagh:** Based on sex alone, with no other criteria used. I don't feel that way. This woman who came into my office was more than unhappy that the job prospects for her in that area were extremely limited and that she would probably have to accept the reality of the wage differential if she were prepared to go to work at all.

I can think of very few work situations in my area where there isn't some substantial differential. In fact, the one which comes to mind readily is among the organized workers, particularly in the UAW local bargaining with General Motors, where there is not any longer a clear wage differential between men and women. There are some in there, but the basic premise that you get paid the same amount of money if you do the same kind of work has now been established and accepted.

There might be those who would accuse the auto workers from time to time of not being terribly much on the side of women's liberation, but at least they do recognize the basic fairness. That is what I think we ought to be talking about in this Legislature. That is what I thought I saw this entire Legislature support when Bill 3 went through the House, but it isn't law now because this government clearly doesn't want it to be law. If it did, I am sure it would have found some way to grab that private member's bill and turn it into government policy. They certainly did that on a number of other occasions when they saw a good idea emerge from opposition ranks: they stole it and implemented it and said it was their own.

**Mr. Sterling:** Anything we do that's good, is stolen!

**Mr. Breagh:** There is another amazing admission on the part of the member for Carleton-Grenville that anything good they do is stolen, and I agree.

8:40 p.m.

I think the basic problem women face in the work force—a stereotyping of roles, a wage differential which is widely accepted, and a limited technique for advancement, and certainly very limited fields—is a fundamental problem this Legislature has to deal with. We are not alone in not being very successful at this process. If we were to find a prime villain in all of the country we would probably simply look at the federal government itself, which for all of its stated good inten-



tions—and there at least the minister in charge of this particular program, Mr. Axworthy, has learned the jingle; he knows how to speak the language—has not been successful at all.

The best example of that is the public service clerks' strike which we just had. They are essentially a group of people working for the federal government, about 75 per cent women and, to use the member for Carleton-Grenville's stereotype again, secretaries, with substantial wage differentials between them and a man who would occupy the same kind of position. That is still a sad reality.

For the woman who came to my office and didn't like that reality, I share that concern. I don't like that reality either. I do not see, even though I have read all the pious statements I would ever care to read on the matter, this government moving in any concrete way to change the nature of that harsh reality for women in the work force.

I want to say some things about the government's choices and priorities for health care. This is a matter we have gone at in this Legislature hammer and tongs for the better part of a year or closer to two years. We have gone at it in a number of ways. We have had select committees on it and committees of the Legislature. We've referred annual reports. We have had emergency debates and we have used every device I can think of, or that anybody in here could think of, to get the government to change its priorities, to look at how it spends its money.

This afternoon we again had some interesting exchanges. This afternoon a number of members raised the matter that it is now fairly common practice to walk into a hospital in Ontario and see something one never would have seen even two years ago—people on stretchers in corridors. They are sometimes in a corridor which is not designed to have a patient occupy it at all or sometimes in an emergency ward where clearly the doctors and the nurses and the personnel working in there are dealing with emergency patients as a priority item and really don't have the facility or the staff to deal with someone lying on a stretcher, either inside the emergency ward itself or a little further down the hall in the corridor.

The Minister of Health (Mr. Timbrell) rose in his place in response to questions this afternoon and said, "That's okay." He is not shocked that somewhere tonight while we are in here debating this budget speech, there are people stacked up in corridors on stretchers. That doesn't bother him.

It ought to bother the hell out of him. He ought to be the same guy who can find in

that same hospital where they are on stretchers in the corridor, empty beds, wards which have been closed down and staff who have been laid off. Is the minister saying that good health care means one gets to lie on a stretcher in the hall?

His other response this afternoon was maybe too close to the normal for him. He said, "Would you rather we close the door on him and leave him outside?" I am afraid that is clearly the next option for this government. They are going to leave them on a stretcher all right, but they will roll them outside so they will lower the energy consumption inside. That is the only step that is left.

We have documented for the better part of a year and a half now in this House that there are serious problems in our hospitals. We have had committees go at it—select committees and legislative standing committees. We have had special reports on it. The federal government has commissioned a special study of medicare, but still the problems remain and get worse.

This afternoon we had some discussion about what is happening with the number of bed spaces that are available here in Metropolitan Toronto. An interesting thing has occurred. About a year ago we had this exact same debate. The minister took the position clearly and unequivocally that what he was going to do was to identify that about 10 per cent of our active treatment beds had the wrong kind of people in them. They had chronic care patients in them.

He said that is not right, and perhaps that is true. I don't think anybody could find fault with that statement. For a chronic care patient, a different level of care is required. What he said he was going to do is crank up more chronic care beds. He also said he was going to cut back on active treatment beds. Somehow we have managed to cut back on active treatment beds all right. There is no question that right now in Metro there are about 700 fewer active treatment beds than there were in January of this year.

The Hospital Council of Metropolitan Toronto has done a little study of this. It said the government has done two things: it has managed to cut down on the number of beds that are available in a hospital and, second, it has managed to make the problem of chronic care patients in active treatment beds twice as bad as it was a year ago. It was failure on both counts.

We have documented on and on what the policies and the priorities of this government clearly are, and the sad realities which they

have put in place all around the province. In something like our health care system that reality gets manifested in a large number of ways. This afternoon in the House the Minister of Health listed problems that have been identified in public health units and the method of funding which the government uses. In rough figures, they used to get two per cent of the health ministry's budget and they now get one per cent.

He identified the kinds of programs that he wants to run, and we all agree. We debated a resolution of mine in the spring saying that we wanted a preventive dental care program. We said it was possible and that it was cost-effective. We were using the minister's own studies in this regard. This afternoon he stood up and announced that he has a new program—a range of them—which he wants to put in. But there is not a dollar here, not a nickel to be spent.

The sad thing is that in a number of parts of this province I found in my visits that public health units at one time offered this kind of preventive care. At one time they had the staff to go around the kitchen tables of this province, sit down with the families and talk about nutrition, and deal with their health care problems before they became major problems. In other words, at one time we did have a preventive health care system. That has dwindled away. It was nicked away at by this government in its spending priorities so we now have to rebuild it.

But we have looked at specific examples such as Windsor where the health council went through all the ramifications of what the ministry so lovingly refers to as rationalization—where beds were cut out of the hospital system. It was said at that time, "We will cut out the beds in the hospital system where they are improper. We will deinstitutionalize these patients. We will put in place the home care programs they really need which are better, which are more cost-effective and which provide better care." They still ain't there.

In a number of parts of this province where the good words have been spoken, that the minister is going to rationalize the innards out of the general hospitals and put in place the home services which have been tried and found to be worthwhile in other parts of the province, we find those programs have not spread. We find public health units that are undermanned and understaffed. We find inconsistencies from one part of the province to another.

In the city of Toronto there is one of the finest public health units in the province—active, providing care, particularly for something that other people seem not too happy about. That is, if you look at the specific kinds of needs which women need in the health care system, it is beginning to try to establish new kinds of programs to meet women's needs which few health units in the province are able to do. Although they have some funding problems they have begun to get them under way.

But, again, it is badly financed. It is not the kind of financial security which I think better than 50 per cent of the population deserves. They are not the kind of programs which we know will work and will work in other places. If only someone would finance them properly they would work very well.

There are a number of things which the minister said this afternoon. I think we have expressed agreement in general on a couple of matters, particularly on foot care for senior citizens. The minister certainly knows the right words to say; but the question really is, is the minister going to implement them in a fair and reasonable way?

For example, he proposed this afternoon that six nurses will go into some kind of a chiropody program here in Toronto. It may well be that nurses may be able to train themselves in foot care. I do not doubt that for an instant. But are we to accept that six nurses will make any difference in the health care system in this province at all? I do not think so. Are we to infer from the statement which was made this afternoon that the government of Ontario will treat podiatrists in this province fairly?

I suppose if I was asked that question on the first day I was in this Legislature, I would say, "Sure, the guy is a straight guy, is he not? He would not spread stories like that if he did not mean to implement them fairly and properly across the province." Sadly enough, I have been here a little too long, I guess. I do not accept statements from a ministry now

8:50 p.m.

The unfortunate thing is that members on all sides have seen ideas presented to the legislative committees. For example, we spoke at great length, kind of a philosophy class, about the whole idea of deinstitutionalization. Many of us who had worked in the health care field or social agencies or education had said for a long time, "You have people sitting in institutions who shouldn't be there." We, as opposition members in various responsibilities, go around



this province and we visit these institutions. It is clear that in a number of cases in psychiatric institutions, people are badly placed. The irony is that while they may be badly placed at least those who are in there are placed. For many of our other citizens there isn't even a place to put them.

The minister took the idea of deinstitutionalization, of putting people back into the community, and he went to work on that. He closed Lakeshore Psychiatric Hospital. He then went to work on piling the patients from Lakeshore into Queen Street. I would think it reasonable to say that they then went to work at piling them out of Queen Street. People got put on buses and people had prescriptions given to them and they were forgotten.

There is the interesting argument that once a psychiatric patient is discharged from an institution such as Queen Street or Whitby, he or she is no longer the responsibility of the ministry. I accept that in the legal sense perhaps they are not. However, I also put the case that in the moral sense they are still in need of care. If, as was put to the opposition members in the committee hearings around the closing of Lakeshore, we are to accept that the ministry is going to take funds that it saves by closing hospital beds in institutions of all kinds and redistribute that through the system, and build up another system, a better system, one which has home care programs, that is one thing, but to dump them is another.

As someone who sat on a committee here in this House, I listened to the minister say there would be a saving of I believe it was \$1.7 million in the closing of Lakeshore and that that would be put back into place in community care programs. I can say we accepted that. In all fairness, we had no choice but to accept it and we did. We let another four, five or six months go by and then we started asking questions from this side of the House. "What happened to the savings from the closing of Lakeshore? Where are the community-based programs that were to come up from that? How does that money get redistributed through the system?"

It is more than a year since they closed that institution and in that time, though the minister at one time did make an attempt to establish the specifics of what community-based organizations were going to be put in place, some of them still aren't there. Most of them still aren't there.

I read kind of sadly a booklet put out by the Ontario Public Service Employees Union. It is called Ontario's Mental Health Care Breakdown. I think in a sad way the union

which represents the workers who work in our psychiatric institutions, who might be called by many, me included, the primary providers of care, because they are there when the doctors are not, has unfortunately given an accurate description of what is happening in all of mental health in the province of Ontario. There has been a breakdown, a disintegration.

I don't think any of us are making an impassioned plea that the system we had in place two years ago was a good one, but I think we are saying we were told very carefully that deinstitutionalization did not mean giving people a bus ticket. It meant giving them services in their own community in familiar surroundings, and a support system would go in place.

What makes me angry about this is that I see, for example, in my own area, that the health council in Durham region has looked at the restructuring, rebuilding and refinancing of Whitby Psychiatric Hospital. I think the government is serious about doing something at that hospital; at least the minister has personally come down to Whitby and announced three times now that he is going to rebuild Whitby. Each time he comes to town to announce this, I always go and ask the staff at Whitby and the people who are working in and out of the psychiatric institution there, "Well, I see Dennis is going to rebuild Whitby again. Does anybody know where?" Oddly enough, not even the administrator of the hospital knows where he is going to rebuild Whitby. "Do you know what size and shape this thing will be?" Well, no, they don't. "Have you played any role in making suggestions to the ministry?" Well, they tried.

I think the end result is that the health council in the area has made a package of recommendations to the ministry. I read them with great interest the other day and I support them. I think that is the right way to go because he talks about rebuilding the psychiatric institution at Whitby in one manner and then spreading that system throughout our communities.

The problem I see with that is I accepted the exact same premise at Lakeshore and I saw them tear down the institutional care but I didn't see them build up the community care. It is my concern that although we have identified what we want to do and how we will go about that, I don't see a government with the will or the guts to implement it. I certainly couldn't point to one example across the province over the last four or five years where they have carried through on what their stated inten-

tions were. There always seems to be some economic reason which says "First get them out of the institutions," but then the money never follows to provide the home care services.

I note with great interest again that the hospitals are bargaining for budgets for next year. I note in a statement they put out on September 24 called For Your Information that they said hospitals in Ontario are in serious financial difficulty and many face the possibility of having to cut services or incur a deficit unless they receive additional funds. In this statement they even peg a number to it. The total deficit predicted is more than \$61 million.

Quite frankly, I thought last year we had nailed this one down. Last year we called administrators from around the province before a legislative committee and we made the case that the financial proposals of the Ministry of Health to run general hospital services in Ontario were inadequate, were not founded on fact but rather founded on fancy, were dumb, were causing problems for administrators and, more important to people like me, were causing problems for patients. We found documents from the Wellesley Hospital here in Toronto and from a number of other places in the province that the level of patient care had dropped substantively and measurably. Those documents are hard to come by because opposition members don't get handed them every day. They are internal documents of the hospitals, not the responsibility or the property of the Ministry of Health.

I don't think there is any question in my mind or in the minds of anybody in this province that the level of health care in Ontario in the last two or three years has dropped substantially. I don't remember seeing such a number of inquests in the papers over hospital deaths as I have seen in the last three months. I don't remember seeing a Minister of Health accept the fact that people are being accommodated on stretchers in the hallways and saying that is okay.

In my area a gentleman by the name of Matthew Dymond was once the Minister of Health. I do not believe somebody like Matt Dymond would ever have stood in this Legislature and said it is okay if people are kept on stretchers in hospitals in Ontario and accepted that fact. That is a sad indicator of the deterioration of the health care system in this province. It has a number of difficult areas and there is no arguing about that. There is certainly a raft of things which have to be resolved in there.

The first order of business ought to be that the spending priorities of this government get turned around. Surely it doesn't need more than what was put in front of that table a year ago this fall, when 278,000 people said exactly what I just said: "Health care in Ontario is important; it is a priority item for us; it has deteriorated."

Do members know what the government's total response to those 278,000 people was? I remember because I not only lugged some of them in here, but I went outside to listen to the minister's response. His first response was he was going to write those 278,000 people a letter and straighten them out.

Of course, he didn't mean he would sit with his hot little pen in his hand and write 278,000 letters. He meant some of the 15,000 or so people who work for him would be given the job of responding to the people in Ontario in much the same way, I suppose—as I began with this evening—as the Minister of Revenue responds to the people of Ontario. A big ad campaign goes out; letters go to all the people in the province explaining that there really aren't any problems.

9 p.m.

I watched the minister that afternoon squirm and wiggle outside the doors of the Legislature. He said, "Oh, well, now, these 278,000 people are just misinformed." He didn't have the stupidity to say outright that he thought they were wrong or dumb or that the things they saw in their hospital with their own eyes weren't really happening or that the relatives they had who were using the health care system in this province didn't have valid complaints. What he said was that they were misinformed. They didn't know and he was going to give them the truth and the light. He was going to write these 278,000 letters.

He never did do that, and I followed it with great interest because I thought that at the very least, because the ministry has all kinds of people on staff who can write really racy responses to anything you can name and probably give us eight or nine very scientific studies on what good things they are doing, surely they will have the common decency to have somebody on the staff sit down and write a reasoned and rational response to all of this. The response by the government of Ontario to 278,000 of its citizens was "We received your complaint." That was it.

**Mr. Bounsall:** Did they send those out?

**Mr. Breaugh:** Not one. Not a letter went out. No big PR campaign went on. Nothing happened.



I think my frustration started to build when I heard the Minister of Health announce in the estimates a couple of years ago that he had a new program to fight alcoholism in this province and then the next thing I learned was that people were calling my constituency office saying, "Why does the Minister of Health sponsor this big advertising campaign about 'You call your own shots'? What is that all about?" I said, "I don't know." But I saw a couple of the ads and I happened to ask the minister and he said, "Well, that's our new campaign to fight alcoholism."

The ironic thing is that it's a little tough now, when you watch television, to make the distinction between the Labatt's commercial urging you to drink more beer and the Ministry of Health's commercial urging you to call your own shots. They are all that kind of smooth, downtown, chic situation and they are very common and rational. Nobody is actually drinking beer or anything like that and it's kind of a rowdy situation but the media message is clearly the same and I am not sure that one isn't reinforcing the other.

I am not sure which is reinforcing which but I do know that the Ministry of Health has spent a bundle of money to put that cute little television commercial on the air and the people who are on the receiving end still aren't sure, a year later, as to what the message is supposed to be.

Maybe that's some indication of the spending priorities of this government. If it were prepared to fund treatment centres for alcoholics in this province, we would at least know what it is doing.

**Mr. Bounsall:** Too subtle by half.

**Mr. Breaugh:** I am not sure whether it's subtle or it's sophisticated or that it's government by polls or what exactly it is, but I do know this unfortunate bottom line. There are basic needs in the health care system in this province which are not being met, not by a long shot. There are serious problems which have been identified.

I want to also touch on the Hall report because there I think is something which is unique in Canadian history. It is not usual to have, at the beginning of a system as large and as complicated as medicare in Canada, a person of the stature of Emmett Hall putting together the kind of backroom co-ordination between all of the provinces and the federal government and the day-by-day implementation of how medicare will go into place. Emmett Hall played that role at that time and a year ago, when David Crombie was the Minister of Health for a

very brief time, he decided—a federal Tory—that there really was a serious problem in medicare across the country and he ought to get somebody of the stature of Emmett Hall and put him to work on that.

It wasn't the grand and glorious committee or royal commission which we often see floating out of here. It was a one-man inquiry and you could hardly find a more qualified person, more eminent in stature, with the breadth of experience that Emmett Hall had. He went from one end of this country to the other and he documented what was right about medicare, what was wrong about it, where the problem areas were and what his own particular recommendations for solutions were. That took more than a year to complete.

The report documented, in fact, a number of the things which members of this Legislature have said are happening here in Ontario; it identified that some were problems which are rather unique to this province but that many of them were happening across the country—problems about extra billing, doctors opting out of the system.

Emmett Hall went on to document as well that there was a need to go back to an earlier theme to investigate the roles that different health care practitioners play. Again Emmett Hall, with, I think, a genius and an insight for words, identified that somewhere around the witching hour, somewhere around midnight, women particularly nurses working in a hospital, all of a sudden acquire magical powers.

During the course of the normal working day, the doctors, who by and large are men, reign supreme, make decisions about health care, provide the level of care, give orders and run the joint. The premise is of course that they are doctors; not that they are men, but that they are doctors, more qualified to do certain things. Somewhere around midnight, the witching hour, those men get tired and the women providers of health care take over. After midnight they are making decisions which, in the middle of the afternoon, would be thought not proper. After midnight the whole role changes.

About a year ago a surgeon in Hamilton said to me: "If you really want to look at what is the important ingredient in the health care system, it is not the highly trained surgeon. The surgeon provides great skill, uses great technology and probably, for a brief instant, plays a crucial role in someone's recuperation, but the real people who save lives are those people who participate in the health care team afterwards."

It is true. If one goes to hospitals in most parts of this province, one will find whole weekends where there is not a doctor to be seen. There is not a doctor inside the hospital. The whole joint, the whole kit and caboodle, is run by nurses, by nursing assistants, by nursing aides and by just ordinary people who work in the hospital.

I will bet that a couple of hours from now in our big, sophisticated, downtown Toronto hospitals where they have the world's finest practitioners of the arts, where they have the highest technology, one will find again something which would not have been true this afternoon: women in a role which is sometimes traditional, changing their role from being nurses who might in some people's eyes be looked on as kind of secondary providers of health care to moving into the forefront, making decisions, providing care and doing it effectively, or those people will not be alive tomorrow morning.

The traditional providers will be off to the Granite Club, the Albany Club, the hockey game or watching the ball game on TV tonight. They will be removed from the health care system but the system churns along and the lives will be saved, not because of the high-priced help, but because there is somebody back there to slug it out in the trenches. If there were not, a major component of our health care system would not work and, a little more pertinent, people would not live through the night.

I want to touch on something else which Emmett Hall looked at in his report. We raised in this Legislature a thing which is called, if I may be so bold as to use the government's name for it, a chronic care co-payment fee. We pointed out at the time that this did not make a lot of sense to us. We did not understand why the government, all of a sudden, found it necessary to tax the sick. They had made such an effective career out of taxing the poor, so why move on to the sick? But they decided they had to, and they put in that program which they call a co-payment scheme—it actually is a user fee, an escalator clause. Every three months, every time the federal government ups the ante just a little bit, without even blinking an eye—they do not even have to push a button over there—up goes the user fee.

I do not know why as an economic priority this government decided it was necessary at this stage in its life to tax the sick. At the beginning of this whole exercise, before this particular program was put in place, we went through a whole exercise with the then Treasurer, Darcy McKeough, who, above all

other things, was not inclined to be a recluse. Darcy put it on the line in the committee room just down the hall from here. He said, "This whole premium system is a tax. It has got nothing to do with health care, health care premiums or an insurance fund or anything else. This is a tax, it is the best kind of tax and it is one that is in place already."

Extrapolated out of that little philosophy lesson comes something like the user fee. It escalates as their pensions go up and the government of Ontario simply grabs a little more. Is it necessary? No. Does it provide a good, ongoing care program for chronic care patients? No. Do hospital administrators like it? Some think it is not too bad. They have set aside a little money in the kitty, but they get about 25 cents on the dollar. The rest of it goes down to Queen's Park to general revenue. Again, the spending priorities of the government are clearly out of whack with the needs of the society which it is supposed to serve.

9:10 p.m.

A couple of things have come across in the last little while that maybe point out that the problem is more serious than many of us would care to admit.

I watched as the minister rushed to the aid of Connaught Laboratories. I must say I was a little perplexed because I thought Connaught Laboratories was a good institution here in Toronto and it has a history of providing good services to the people of this province, indeed to the people of the country, but I was a little confused when I saw the minister virtually attacking the Canadian Red Cross.

I know the minister rather well by now and I would not have thought that the Minister of Health for the province of Ontario would be anxious to attack the Canadian Red Cross. That is a strange thing for him to do.

I could understand him rushing to the defence of the Connaught Laboratories and I thought, that is a strange argument that is at work there. I found out that yes, indeed, the Red Cross had contracted out some plasma processing to a firm in California called Cutter Labs. I understand at that time it was not possible to get that kind of fractionalization process done anywhere here in Canada. We did not have the capacity to do that. There seems to be a bit of argument about that, but to get back to the initial phenomenon that I witnessed—a Minister of Health decided he was going to publicly, not privately as he would do with the hospital



administrator, at a press conference here attack the Canadian Red Cross.

What in the world is that all about? Frankly, I have followed that with some interest since then and the whole argument is about whether we can do that fractionalization process here in the Connaught Laboratories or whether it really has to go to California. I find there is a sad little tale at work here.

About five years ago, the province and the federal government decided to look at the processing of blood and the fractionalization process of plasma which is the heart of this argument. In five years, the government of Ontario and the government of Canada have not done anything. They have met, that is true, but they have not succeeded in doing anything.

One interesting upshot comes from press reports over the weekend, and that is that in hospitals around the province and particularly acute—here in Toronto, there is now a blood shortage. The people of Ontario are not too sure what is going on and that uncertainty leads the blood donor clinics into problems. The problem in the blood donor clinics causes problems again back in the hospitals.

I am not sure what the interest of the Minister of Health was in participating in that argument but I do know that he certainly did not do very much to clarify what really was the argument. He did not do anything at all for Connaught Laboratories and he did a great disservice to the Red Cross. The upshot of it all is that we now have a blood shortage in our hospitals again.

I am not sure whether this guy is at work for the good of health care of the people of Ontario or not, but I do know that whether he sets out to do that, whether that is his intent when he begins the process or whether he just stumbles into these holes from time to time and cannot crawl out of them, that is where he is, clearly in a hole. I would not mind him being in that hole. As a matter of fact, I might even help him dig it out a little bit and maybe even put a little dirt on the top of his head for him, but he is dragging the rest of the health care system down there with him and that I think is clearly wrong.

Another interesting thing which was announced several years ago has not happened as yet and seems to be clearly part and parcel of what this government is up to these days. A couple of years ago they announced, as part of a go-east policy, that they were going to move OHIP to Kingston. This has been the subject of a cute little

piece of business. There is quite a thick file in my office now.

**Mr. Sterling:** It is about time you went to eastern Ontario.

**Mr. Breaugh:** The almost minister from Carleton-Grenville is chipping in again that it is about time they went to eastern Ontario. I have been following this argument in some detail, all the little memos back and forth, and I could not tell you today, two years later, whether OHIP is going to Kingston or Belleville or Oshawa or Brampton. If I were he sitting over there, that far away from the seats of power, representing Carleton-Grenville, and I knew I was competing with Brampton, I would get a little worried because I do not think it is going east at all.

The interesting question is, how did they talk to the staff about whether they want to go and whether OHIP should move to Kingston? It is not at all clear. Two years after the government started this whole process, whether OHIP is going part and parcel to Kingston or not, it would appear that there is an intention of the Ministry of Health which is not really clear. Two years after he started out to do something, it is not clear whether that is really where he wanted to be.

There are a great many items, Mr. Speaker, that could occupy the time of this House. I want to close on one because I think that this is particularly interesting as a political exercise—as an exercise in the reality of the thing. It is something which ought to be a fascinating little piece when the history books are through with it.

About a week ago, I raised the matter of a number of areas in this province where the ambulance services seemed to be having some difficulties. There is the matter in Picton where the response time was over 30 minutes and a woman died from a cardiac arrest. It is not clear, as it never is in any of those cases, whether the response time was the real problem or whether she would have died if she had been here in the middle of all this high technology medicine. It is clear that a response time for cardiac patients of over 30 minutes isn't acceptable anywhere.

I went on to document some comments from the director of ambulance services in the Ajax-Pickering General Hospital about difficulties they were having, of a response time of more than 18 minutes. I brought to the attention of the House the rather interesting piece of business which happened to an ambulance driver, a guy by the name of Hank Meyer, who lives in Burlington and works for the Halton-Mississauga ambulance

service. He went on a radio program and he spoke out his concern about response time and the fact that in his area, for the ambulance service in which he works, during the course of the evening hours there are two units available to serve a population of 270,000 people, which probably meant a response time of more than 30 minutes, and that really wasn't proper.

These aren't alarmist statements by any means at all. They were said quite openly and honestly and corroborated or fitted in quite nicely with two other examples I had used. For speaking the truth, or his opinion on the matter, for presenting what was obviously a fact at the time—and no one has ever disputed the fact of the matter—this gentleman was given a 30-day suspension.

I raised the matter in the House and the minister said in response to the question at that time—I want to quote him so I get this correct—he said in the Hansard of the day: “first of all the ministry had no part whatsoever in the suspension which was registered against that individual by his employer.” This is not your usual mealy mouthed ministerial statement here. This is straight, direct and not really subject to much interpretation. He didn't say they played a little role; he didn't say they were careful observers; he said flat out, “the ministry had no part whatsoever.”

Yet in the letter that was served on Mr. Meyer giving him the suspension, they clearly identify a Mr. R. Armstrong, later found out to be a Mr. Rick Armstrong who is the co-ordinator of ambulance services for the area, from the ministry as being present at the hearing. The operator of the ambulance service identified him and says he was there.

The minister rose last Friday in the House to say, “Oh, yes, we were there,” and three days earlier he said they had nothing to do with it. I guess I would have let that pass, except that a little while ago the government of Ontario tabled a report, the Williams report on freedom of information. Since then various ministers have had their little to-do about freeing up information and the public's right to know. I believe I even heard somebody over there say that civil servants in Ontario are now allowed to talk. The same group of people who, on the same day, are announcing they believe in freedom of information and the rights of our civil servants to voice an opinion are seeing that someone is suspended for tooting the whistle on the provision of ambulance services.

There seems to be some problem. Another interesting point is, if one talks to an ambu-

lance driver in Metropolitan Toronto, he will say, “I work for Metropolitan Toronto emergency services.” Is that person a civil servant?

**Mr. Sterling:** He is not a civil servant. The Ontario government does not hire him.

**Mr. Breaugh:** To the public that person is a civil servant. Perhaps he might not meet the definition here. If you look at Halton-Mississauga as an example, there is another occasion where that is a private operator providing services, but to all intents and purposes, that ambulance driver is a civil servant of one kind or another. Not in the sense that he is directly hired by and under the employ of the Ministry of Health in this province, but he does provide—

**Mr. Ashe:** Are you filibustering?

**Mr. Breaugh:** I understand the member for Durham West doesn't like to hear any of this stuff and I appreciate why. I am giving the honourable member time for more wonderful, earthy interjections because I appreciate he doesn't often get a chance to speak in this House.

9:20 p.m.

There are lots of areas where I think the government of Ontario has severe problems. This is one of them. I think the classic was unveiled today in question period concerning the Chatham ambulance services. I have followed this one. It's one of those things you kind of pick up and it's hot for a little while and then it cools off and you leave it for a while. It concerns the whole matter of private operators running ambulance services and whether they really are private operators doing anything or whether they really are, for all intents and purposes, employees of the Ministry of Health.

When you talk to the private operators about what they own, they don't own anything. The ambulance units themselves are the property of the ministry. The ministry buys them, the ministry drives them out there. The radio system is owned by the ministry. In reality you would be hard pressed to define what the private ambulance operator really does own. There have been interesting arguments back and forth about the EMCA standards for the drivers themselves, the conditions under which the operators work and whether they really are a business at work or almost an extension of the Ministry of Health.

A couple of years ago the minister decided he was going to get tough, for some reason, and several raids were established. Once again, the raids were not carried out per-



sonally by the Minister of Health. As a matter of fact, I find that quite a comical picture; I couldn't see the honourable minister raiding anything. Whenever I see him he seems to have a little difficulty walking. I don't think he's going to bust down a door.

But obviously, someone in the depths of the Ministry of Health said he thought there was something untoward somewhere. As a result, the Ontario Provincial Police seized some records, one of which was from the operator in the Chatham area.

The interesting thing now is that because the records were seized, other bureaucrats in the Ministry of Health are not prepared to release costing projections for next year. Because the ministry, on the one hand, seized this guy's records through the OPP, there aren't any records upon which they can base cost projections for next year, and there isn't really the occasion to get a cash flow out. In other words, one has a hard time filling out the Ministry of Health forms if somebody has seized all of one's records.

I found out today that there is now a union at work; the service employees' union is bargaining. They met with the operator and they have an agreement between those two parties, except that there seems to be a requirement that a phrase be added "subject to the approval of the Ministry of Health." This is going to cause a strike this Friday in Chatham of ambulance services.

I can't get over the fact that a couple of years ago the Ministry of Health, in essence, had the OPP seize the operator's records. The upshot of that was that they couldn't fill out the ministry's forms and that we will have a strike, perhaps this Friday, in Chatham because the ministry stole—in parlance that might be used on the street but I'm sure would not be parliamentarily acceptable in here—had removed from his premises the records of the operator. It seems that we might have a disruption of service there over something as silly as whether the words "subject to the approval of the Ministry of Health" would be added to this agreement.

It seems to me to be a sad commentary on all we have discussed this evening: the spending priorities of this government; the way this government sets those priorities; the way it implements those things; the health care system; whether women have a fair shot in all of the work force, in the work place, in legislative terms in here; whether this government is really prepared to come to terms with a rather dramatic tearing up of the economy of this province or what it will do when there is a shutdown, as there was at

Houdaille, or Tung-Sol, or Prestolite, or a number of other places where shutdowns have occurred in the last few months. This government has got itself some problems, and I think one is an inability to deal honestly and effectively with the economic problems in the many forms and many ways which beset the people of Ontario.

These are going to be the grounds for an interesting session this fall. I think the problems are very clear, and there isn't going to be a need for a great deal of flushing out of issues for the members of this House to discuss. But I do know that opposition members will continue to provide the government with matters that are of concern to us and to all the people of Ontario. We anticipate that in the course of setting their financial priorities there will be some changes made, that there will be some legislative changes which will aid the economy of Ontario. We have had enough of little presentations by the Ministry of Industry and Tourism which sound good but which don't mean anything to anybody, except the human being who wrote the speech and the one who printed it up.

**Mr. J. Johnson:** Mr. Speaker, I would like to thank you for the opportunity to speak here tonight. The budget debate is a forum which allows us to discuss not only the means through which revenues are collected by this government, but also the many ideas, programs and philosophies related to the manner in which it allocates those revenues.

For quite some time now a personal concern of mine, and one which is shared by many members of this House, is the degree to which governments are expected to involve themselves in the private lives of the citizens of this province and, no less important, our economy.

A fundamental problem which many modern governments are faced with today is the result of a shift in political philosophy. It has been said that arbitrary redistribution of wealth and income has become the most important single activity of governments at all levels. One might take issue with the use of the word "arbitrary". None the less, people in today's society are questioning the degree of morality or justice that is attached to our system of progressive taxation in which some are forced to pay half of what they earn in taxes and others are not taxed at all. People are beginning to question whether a decent minimum income is a right and privilege if no particular responsibility to put something back into the system is attached.

Regardless, the trend, at least in federal budgets, has been consistently to reduce the tax load borne by low-income earners in relation to the richer classes. I am not disagreeing with the intent of the trend. Rather I am merely stating there has been a profound transformation of public attitudes within the last decade or so, and this is bound to continue. The concept of liberalism upon which our nation was founded over 100 years ago originated from historical concerns for the freedom of the individual. Today we are concerned with social justice as much as we are with individual freedom. Social justice often is stated in economic terms. It is a result of more and more people demanding greater economic equality, so government must assume the dual role of mediator and supplier.

This is a source of the current philosophical dilemma. Government, and we are no exception, cannot play the social justice game and win. If, for example, we guarantee equality of income eventually an inequality of social opportunities will result. Conversely, a guarantee of equal social opportunities will lead to an unequal wealth distribution.

The government, therefore, is left in a quandary since the halfway point between these conflicting demands satisfies no one and at the same time decreases the scope for individual freedom.

Dissatisfaction is becoming somewhat more widespread as certain segments of our society begin to feel they receive few direct social benefits while being required to carry the costs of government. But there is a paradox in all this. Quite simply, it is that while Canadians and Ontarians are complaining about high taxes, socialistic policies and interference by government, they are, as mentioned, constantly calling on it to assist in some issue or another.

People infrequently accept the fact that every time government steps in and does something, particularly those things which might be accomplished by other means, the range or grade of options for society is narrower. In other words, there is less left for people to do for themselves. This in itself is not to be condemned, for no responsible government should abdicate its social responsibilities. What we should consider is the degree to which government should involve itself in the social system.

One of the reasons for undertaking this consideration is the increasing limitation that personal freedom is experiencing. Another and perhaps more practical reason is simply that we no longer have an entry to unlimited

resources to pay for increasing expenditures on social programs.

9:30 p.m.

The plain fact is that the cost of social programs is considerably higher than in the past. During the post-Second World War era, which was one of unparalleled prosperity, the public greatly changed its expectations of government. Society demanded the best in both education and health care. The baby boom created an unprecedented need for space in schools and that space was provided. Parents not wishing their children to become blue-collar workers demanded an increase in post-secondary educational spending. The money was there and so it was spent. Nor do I think it was spent unwisely since today many of the facilities we have come to take for granted are almost irreplaceable in terms of what it would cost now to rebuild them.

The economic times we currently face are not reminiscent of the pre-war depression years by any means. Nevertheless, one would expect that the experiences which many of us had 30 or 40 years ago might cause us to question the direction that government spending is going. Mind you, over half of today's society hasn't had to face the bad times, though perhaps that wouldn't make any difference since, as George Bernard Shaw stated, "Our conduct is influenced not by our experience but by our own expectation of life." Our children no doubt have expectations that equal or perhaps even outweigh our own.

The point is, of course, that in the midst of great expectations, whatever we do in an attempt to please others will be considered inadequate. Our task is made particularly difficult because government no longer has the unlimited resources with which it can at least attempt to please.

Predicting the future is a tough job, almost an impossible one in a free society. When governments run off the mark even by a fraction, they are widely criticized. The demands created by the baby boom have largely been met, though not entirely. Hundreds of thousands of those who passed through the education system recently have found jobs because this province created industrial infrastructures necessary for private industry to settle or expand in Ontario. Certainly in a few years, industry will catch up with the baby boom and a sort of balance will settle into the labour market, although it will be quite some time before we re-experience the affluence of the early 1970s.

Meanwhile, as we are all aware, this is the period in which we must reassess our priori-



ties and decide how we are going to respond to the expectations placed upon us. Unfortunately, harsh economic realities have begun to affect our understandable and natural desire to take care of our citizens. There are of course many factors which have caused upsets to the economic system and thereby indirectly contributed to the need for reassessment. Our population is beginning to age; more women are entering the labour market; new systems of business organization have emerged; leisure income preferences have changed, and of course government has grown considerably. Rather than upsets to the system, these are more properly value changes which may necessitate modifications to our economic outlook.

Abrupt shocks to the system, however, have been experienced in recent years with the quadrupling of energy prices on the international market due to exercising by OPEC of its political power. New technological advancements in production techniques and shifts in the location of potential new resources such as offshore oil have taken place. There have been changes as well within the industrial structure of our economy, for example, the increase in services and the decline of the manufacturing sector.

Few, if any, are capable of accurately analysing the total effect of these structural changes within the economy. Certainly there is little agreement over the issues most directly related to the present hardships we are experiencing. Some say inflation is the basic problem in the economy and it should be tackled directly. Others seem to feel the primary emphasis should be placed upon solving the unemployment problem, because that in turn would have a positive impact on inflation.

Some economists see our current situation as being short term; others warn us that our problems are of a long-term nature. There are those who contend that trade unions add to inflationary conditions, while the opposite view is that when times are tough unions form the only protection for many Canadians. Finally, as I have stated, some see government redistribution of income as a major cause of economic woes, while there are those who feel we aren't yet doing enough in this regard. Nothing is clear and nothing is precise.

Yet from this complex, conflicting picture of our economy, one indisputable fact emerges: our expectations, regardless of how we view the role of government, are for the most part tremendously overinflated.

I mentioned briefly two areas of spending a moment or two ago, those of education and

health. Perhaps I might elaborate briefly on both of these social policy fields for which this level of government has direct responsibility. It has been said our current education system, the one which developed largely out of the post-war era of prosperity, has turned out a generation of young Ontarians with too much abstract education and too little motivation and usable skills.

The educational system, combined with our almost overly generous unemployment insurance system, it is said, has added to the chronic shortage or near shortage of skilled labour during the period when, because of high unemployment, the reverse should be expected. Perhaps it is fair to say that teachers and parents are responsible.

**Mr. Bradley:** Not the government?

**Mr. J. Johnson:** No.

**Mr. McClellan:** Tell us about the government's wonderful apprenticeship program.

**Mr. J. Johnson:** Perhaps it is fair to say teachers and parents—not counting you gentlemen—are partly responsible for the decline of the apprenticeship system in Ontario. University education has been very highly touted in our new society and it may well be that the last decade or so has produced an overabundance of people with an underappreciation of the worth of skilled labour. However, as the Minister of Education (Miss Stephenson) reminds us, while the government does subsidize apprenticeship training, it cannot force people into such schools.

Personally I see nothing whatsoever wrong with children receiving university education. In fact, I strongly believe in this, provided the usefulness of university in terms of providing a career and post-graduate income is appraised honestly. Perhaps it is time to resurrect the old traditional concept of a university education. A university used to be seen as a preparatory stage in life which had a social value and not an economic one.

If we were honest, I think we should also place apprenticeship in its historical perspective. If we do this, we soon realize high minimum wages have disrupted the apprenticeship system we knew before the days when every young person had to make enough money to pay for a car as well as expensive food and lodging.

I do not really think we can correlate the education process with unemployment, although we can relate shortages of skilled labour indirectly to post-secondary schooling. In a society as advanced as ours, there is a need to maintain the valuable university in-

stitutions. Perhaps the answer to skilled-labour shortages lies in rethinking the whole educational process so that an adaptive education process follows the traditional one.

Perhaps, too, our programs of retraining and rehabilitation of human resources should receive even more consideration, particularly in light of the speed at which certain jobs are being replaced by advances in technology. This is an area in which money might be wisely spent. One thing is certain, however; gone are the days of large increases in funding to universities, increases we once took very much for granted. Gone too are the mammoth annual increases in spending within our social programs.

Five years ago when he was the federal Minister of National Health and Welfare, Marc Lalonde pointed out his feelings at the inadequacy of the traditional view of equating the level of health in Canada with the availability of physicians and hospitals. It was about the same time that we in this province arrived at the same conclusion.

9:40 p.m.

Regardless of how health care services in Ontario compare to many other areas, there is little doubt that future improvements in the level of health of Ontarians lie mainly in improving the environment, moderating self-imposed risks and adding to our knowledge of human biology. Perhaps, too, it is our economic awareness that has led us to conclude that successful improvements in the cost effectiveness of the health care system lie in our attempts to decentralize and de-institutionalize health facilities and planning bodies.

Themes similar to those in health care can be traced in our changing outlook of senior citizen programs. Often in the past, programs for the elderly were designed with the individual in mind but not the family unit. We must do our utmost to permit and encourage home care administered by family members. We must realize of course that those most in need of help will be those least able to afford it. The family which needs a second income most will also not be able to seek alternative means of care for an aged parent. We cannot allow that kind of social outcome to occur. In other words, we cannot let our philosophy of self-reliance become an excuse for avoiding social responsibility.

The member for Kingston and the Islands (Mr. Norton) has been emphasizing that for several years. Nevertheless, this is the time for reassessment. Not only does the trend away from traditional social programs seem inevitable, it has within it the seeds for very

positive change. We can look forward to the development during the next decade of systems of mutual sharing and community interdependence which a few years ago were unimaginable.

These then are a few thoughts on social-program-spending by government. The teaching of self-reliance and the levelling-off of government spending patterns are necessary in the shaping of a healthy and prosperous future. However, by themselves, they are not enough to ensure this prosperity. What then are the other economic realities the government must face? If we were to focus only on the kinds of structural change within the economy I mentioned a few moments ago, the future would indeed appear quite bleak, and yet I don't really feel this is so.

At least two significant spurs to economic growth have appeared on the horizon. First, with the current market price for crude oil so much higher today than in the early 1970s there is a strong incentive to discover new forms of energy or more efficient ways of using the existing energy supply. The future, therefore, should bring a wave of technological innovation within this field.

Second, many of the developing countries of the world are gaining strength and becoming major new markets for industrial goods and services at the same time they are developing industries that will be competitive with those in the industrial countries.

Both these positive forces carry with them challenges for existing industries, but in order to meet these challenges we are going to have to be far more receptive to change than we have been in the past. We cannot afford to offer resistance to this change. Certain sectors of our economy will become extinct or obsolete due to the natural process of evolution. But out of that process, new industries will be developed and the test of a truly healthy economy lies in its ability to shed inefficient and outdated activities for more efficient processes. That ability therefore must be a key characteristic of the economy.

Society has established its support programs to relieve hardship and to make this system more humane. Unemployed workers receive unemployment insurance and are eligible for manpower training and mobility grants to assist job searches in other areas. Such programs are intended to assist people to adjust to change. In that sense, they help to promote change but also we know certain programs can hinder.



Our national industrial policy in previous years, for example, was based on a high degree of protection for plants from foreign competition. Also, we seemed to accept more passively that we would remain heavily dependent on technology, management and entrepreneurship imported from abroad. The combination of protective policies and dependence upon imported ideas may have been useful at one time, but today it fails to foster creative changes within the economy.

Change has also been inhibited to some extent by government decisions to intervene in markets that were producing undesirable results. In other words, from time to time governments have substituted control regulations for natural market conditions. In the past, governments have taken on the responsibility for far more detailed regulation of the economy than they could possibly carry out efficiently, and these regulations have had a negative effect on the decision-making process in the private sector. This is precisely why we adopted the policy of deregulation of business we are following today. Impetus for increased productivity lies within the private sector itself.

There is, however, one conclusion one cannot escape when analysing the productivity of the economy. The most essential ingredient to the process of change is technological innovation. Capital investment is important and so are larger-scale plants. But these are not the keys to economic health, nor is naturalizing our economic production. Rather, it is innovation, and necessity is the mother of invention.

The best incentive for innovation is the marketplace. Innovation does not always fare too well in branch plant industries, but we cannot turn every branch plant operation into a Canadian-owned business, although we should certainly be moving in that direction. Furthermore, the large-scale policies that act on total demand and supply in the economy will never be sufficient to get the country off the unemployment/inflation treadmill.

Government and the private sector must focus their attention on smaller-scale economic questions, the specific ailments of particular industries and sectors of the economy. What we have to do is develop excellence in a limited number of areas. We have to have industries where there is a strong balance of small, medium and large companies where there is a strong Canadian ownership present. We have to concentrate on industries that are natural to Canada and where special measures to support those in-

dustries create little tension with our trading partners. These are the industries that are related to our weather, our geography and our resources.

Agriculture is very much an industry and one of our most important renewable resources. A lot in terms of innovative research is going on in this sector of our economy. Currently, the budget for agricultural research alone is \$23.4 million annually. Research projects have been undertaken in the areas of livestock, poultry, field and horticultural crops and plant and animal disease.

Ontario's agricultural research and development programs have contributed to the development of new high-yield, earlier-maturing soyabean varieties and to the development of new strains of barley, oats and wheat environmentally suited to our climate. Pesticide and herbicide research has helped farmers increase their efficiency and decrease their costs of crop production. Corn output has been improved by 37 per cent to over 100 bushels an acre in some areas of Ontario and a total of 1.9 million acres is in production. Milk production in some areas has as much as doubled with the help of research afforded by this province.

Improvements in technology and research are universally essential to economic growth. In terms of illustrating the need for technological development, perhaps a prominent example is the pulp and paper industry and assistance provided there by the employment development fund. I think that pulp and paper manufacturing is worth discussing at this point because it shares a particular difficulty with other industries that is becoming more and more a factor influencing economic decisions today. I am speaking of environmental concerns.

9:50 p.m.

I do not think that in the past we have realistically analysed the economic impact of pollution. Pollution, whether it be the appearance of mercury in our waters, carbon monoxide in our air, or acid rain, can be reduced to dollars and cents. Very simply, we pay to have pollution eliminated in a traditional cost-benefit manner. So far, we have apparently not accepted that the benefits warrant the costs but I think we will reach a point very soon when we can no longer avoid paying our past dues.

No one knows what this will do to our competitiveness since all attempts to improve the quality of our environment will ultimately manifest themselves in high production costs. Paying for pollution is fast becoming one of the most significant of the economic structural

changes to which I refer. Certainly, in terms of stabilizing our economy, we are going to have to face this issue and, as we are doing with the pulp and paper industry, supply some of the mechanisms to ensure that our industrial competitiveness is retained.

By way of concluding, the need to promote innovation and to develop technology are some of the economic realities to which responsible government must address itself. But responsible government will also strive, in an economic sense, not to be overly helpful since that will in effect lead only to increased regulation and market intervention.

The healthiest input into the economy has always been and always shall be from the private sector itself. There is such a thing as killing with kindness, and so we must continue to be selective in our approach to assisting truly indigenous industries and we must continue to recognize those industries are facing structural changes causing peculiar hardships.

In the social field, the transition towards cultivating individual independence and community participation has already begun; it must be furthered. This decade, it is hoped, will bring much greater pressure for individual self-reliance at a time when social, political and economic stresses upon many people, especially the disadvantaged, may make it more difficult to cope.

But the challenge for government in the 1980s lies in initiating activities to enable as many people as possible to meet the responsibilities which will be thrust upon them and in ensuring that self-reliance is not a disguised abnegation of responsibility.

**Mr. Bradley:** Mr. Speaker, it is always a pleasure to follow the member who just spoke. I have to look his riding up because it is one of those constituencies with three names, in this case Wellington-Dufferin-Peel. I am sure the member would never forget, but some of who do not represent that riding might. It is also a pleasure to follow the member for Oshawa, who, as the health care critic for the New Democratic Party, has a very special concern that he has expressed this evening about the health care system.

I notice, as I rise to speak, that we have the usual large crowd in the galleries, full to the brim, and all the members have now taken their seats. It is always encouraging to know that we have this level of interest in Ontario, particularly when one of the members from the Niagara Peninsula rises to speak.

**Mr. Sterling:** It only reflects what we expect to hear.

**Mr. Bradley:** The member for Carleton-Grenville is certainly not as proud of the people in Grenville because he has placed Carleton ahead of it, but he certainly is looking forward with anticipation to a speech which will be, as usual, nonpartisan and full. I hope, of a good deal of logic that the member will accept.

I will launch immediately into an area which I think is extremely prominent at this time, certainly in view of what the public is being exposed to, and that is an expenditure that the government is using to further its own interests. I am, of course, referring to the advertising dollar that is being spent by that administration to promote the Progressive Conservative Party of Ontario using the taxpayers' dollars.

**Mr. Sterling:** I thought you were going to talk about polls.

**Mr. Bradley:** The member has drawn to my attention the fact that the government has spent a good deal of money on polls and we had to drag them kicking and screaming, stamped by the opposition and the media and the Liberal-Labour member for Rainy River (Mr. T. P. Reid), into at long last revealing the results of these polls. Of course, we found they had been basing their administration and their policies on these polls, as results were exposed, and we wonder how many more of these polls are around.

**Mr. Sterling:** Why don't you guys release your results?

**Mr. Bradley:** The member, of course, when it suits his own purpose, will invoke the federal example and indeed, if I were elected to the federal Parliament of Canada, I would be more than pleased to demand the results of any polls that have been paid for with taxpayers' dollars. My mandate is to speak in this particular Legislature. I am elected as a provincial member of parliament and I will, with the same vigour shown by the federal Tories, demand that the government provide for members of this Legislature and the public on Ontario the results of all the polls.

Back to the advertising program that exists, however, in Ontario, the use of the taxpayers' money to promote the Progressive Conservative Party of Ontario. We already are aware that being in government is, in itself, an advantage. It has millions of dollars worth of salaries in terms of civil servants who sit not too far from its benches to advise the members. When we go into the committees, particularly during the time of discussion of the spending estimates, we have a large number of civil servants with their high



salaries. Some of them, of course, earn those high salaries. Certainly, if part of their mandate is to make the ministers look good, they would very much be earning those salaries. We recognize that is part of their mandate.

The government has all the levers of power at hand to enhance its own reputation across the floor. Yet it still finds it necessary to go to the media in terms of television, radio, newspapers and magazines to promote its programs, its ministers and its policies, once again using the taxpayers' money.

It is also the richest political party in the province. Its bagmen go around the province to all the hotel owners who feel they owe it a favour even if they do not. It goes to everybody in this province for whom it has done favours over three years and gets money from them.

It is already the richest party in this province, one of the richest political parties in this nation, yet it finds it necessary to use the taxpayers' dollars to enhance the party's reputation.

**Mr. McKessock:** Shame.

**Mr. Bradley:** This indeed, as the member for Grey has pointed out, is a shame which should be exposed to this province.

I am hopeful the Commission on Election Contributions and Expenses and its honoured chairman, the Honourable Mr. Wishart, will look carefully into the accusations I have made and will act upon my request that it investigate this advertising fully to determine whether it violates the Election Finances Reform Act. It was my understanding, if I recall the 1977 election, that we were prohibited from advertising in the media until the last 21 days of the campaign. I think we have had a few such campaigns, if we objectively view what has taken place.

Mr. Speaker, for members of the House who are assembled in great numbers this evening, let me reveal once again some of these advertisements. The latest, of course, are those from the Ministry of Revenue. Every advertisement includes at least in two places, "Because Ontario cares, the new grants for seniors program is introduced."

**Mr. J. Johnson:** Excellent program.

**Mr. Bradley:** The member for Wellington-Dufferin-Peel says it is a wonderful program. Certainly many of the senior citizens across Ontario now receiving the cheques are pleased to receive them. They have already received tax credits in the past and some of them might be surprised to find out they do not have those tax credits available. As the provincial Treasurer (Mr. F. S. Miller) said, "This is the way in which we can show the

senior citizens of Ontario we are providing the money." After all, it is very important that the government shows it is providing the taxpayers' money for senior citizens.

10 p.m.

We recognize that the ultimate goal, which is to alleviate the municipal tax burden on senior citizens, is a goal towards which we all strive. I think we all support that. What is most objectionable is the fact that this is being sold as a Progressive Conservative package with the statement repeated, "Because Ontario cares." This is blatant partisanship in my view.

I know the Minister of Revenue is a man of integrity. He is a man who is fair, in my view, certainly in dealing with the opposition parties in the House. He must have a pang of conscience when he turns on his television set and watches the partisan ads that are appearing to promote this particular program, the government of Ontario and the Progressive Conservative Party of Ontario.

I didn't hear too much about expenditures for advertisements for the Ministry of the Environment back in the spring. I am surprised we have had as many commercials as we have had, but I suppose there was the election scare. The Premier says there was never any intention of having a fall election until such time as he read the polls after coming back from the first ministers conference and recognized that it might not be too wise to have an election at this time.

We had Ministry of the Environment advertisements which told people, "I came back to Ontario because it's so clean," and that Ontario and its people are doing as much as anybody else in any other jurisdiction to clean up pollution. It would be interesting to superimpose on the screen, while the audio is on, the picture of the smokestacks in Sudbury or many other examples of Ontario's pollution, which continues unabated or only partially abated and is adversely affecting the lifestyle of the people of the province.

We have the Ministry of Energy with that catchy little song, "Life is good, Ontario. Preserve it, conserve it." The Minister of Energy (Mr. Welch), when we suggest that that has any political connotation, says that is preposterous. I could never say this word, but the member for Windsor-Walkerville (Mr. B. Newman) has always talked about subliminal advertising. This is a prime example of subliminal advertising if I have ever seen it.

The implication is there that life is pretty good in Ontario and people should preserve

and conserve the party which has been in power for some 37 years, longer than most Communist governments which have had to stay in power by other methods than what we would use, which are the democratic methods. I suppose there is something to be proud of there.

Prior to that, we had the Minister of Energy himself on. They would say, "Now the Honourable Robert Welch." The member for Brock is a good friend of mine and a person with whom I co-operate on a local level to assist the people of my municipality in the Niagara region. But I think I can be reasonably critical of the fact that the minister's voice was used. One would hear him speaking to the law students: "And now the Honourable Robert Welch." One would hear the applause, and he would talk about saving energy. Once again, this seems to me to be an example of using the taxpayers' dollar to promote cabinet ministers and ultimately the government.

Then we had the Minister of Health. Probably the member for Oshawa has touched on this at some time or other, perhaps earlier in the evening in his speech. The Minister of Health on Happy Hospital Day took out these big ads in the newspapers, paid for by the taxpayers of Ontario, to advertise how much money he was giving to hospitals this year. Surely a press release would solve that particular problem if he felt he was under fire by the opposition. Once again he was using the levers of power, the taxpayers' money, to promote the Progressive Conservative Party and its policies.

We also had the Ministry of Labour talking about what it is doing for women in Ontario, almost apologizing for the fact that the government had decided not to proceed on the bill that had been introduced by the member for Windsor-Sandwich and supported, I think, by members of all parties in committee.

The Ministry of Labour went on to apologize for the fact that it had not acted on that, saying that all the rules at present in existence were sufficient. In this House we don't use the word "misleading," but they were providing information that we in the opposition do not feel is absolutely correct.

Then we had the Minister of Industry and Tourism. Once again he has a very large budget and we have noticed when one of the rock bands sneaks by into Ontario Place and plays there, that when there is an advertisement we have the name of the Minister of Industry and Tourism listed at the bottom. We still have the minister's voice, as far as I can recall, with a nice catchy tune, which

comes on and tells us how many jobs he has created in Ontario. He has not made any over the last two years because he recognizes the disastrous response to their financial program this year in the creation of jobs. He talks about the fact that he has created these jobs for the people of Ontario.

I merely point out that it is extremely unfair for the government to use this new lever of power, the taxpayers' dollar, to promote itself when it already has all kinds of money to do so.

I have even had some of my Progressive Conservative friends—and believe it or not, I do have many friends who adhere to the Progressive Conservative Party—confess that it is shameful that the provincial government is spending the taxpayers' dollars to promote itself. I would be hopeful that in its commitment to restraint, instead of cutting down on the number of hospital beds in different municipalities, there could be a cut in the budget and that money applied to those programs which are useful and beneficial to the people of Ontario.

We have heavy expenditures for various offices. Some of us saw that the Globe and Mail this morning had a rather interesting article entitled, "Patronage: Familiarity Breeds Contentment for Tories." It talks about the number of former Progressive Conservative members of the federal and provincial Houses, those who have been loyal and faithful to the Progressive Conservative Party, who now find themselves in some very plush jobs paid for by the people of Ontario.

I would like to draw the attention of the House to some of these people because the editorial writers of certain leading Conservative newspapers in St. Catharines take great glee in pointing out the federal appointments that are made. I am told the federal government is involved in some patronage appointments, but once again I would remind members of the Legislature that it is my mandate to discuss things which are of a provincial nature.

We have Mr. Ross DeGeer—I have heard that name before—who was the former executive director of the Conservative Party of Ontario, as agent-general in London's Ontario House at \$51,000 a year; Lincoln Alexander, former federal Tory cabinet minister as head of the Workmen's Compensation Board, \$60,000 a year; John Yaremko, former Ontario cabinet minister, as chairman of the Liquor Licence Appeal Tribunal, \$51,000 a year; Arthur Wishart, former Attorney General, is chairman of the Commission on Election Contributions and Expenses, \$51,000 a year; Allan Grossman, for-



mer cabinet minister—it also mentions that he is the father of the Minister of Industry and Tourism but I think that is irrelevant—as chairman of the Criminal Injuries Compensation Board, \$51,000 a year. The list goes on and on of people who have been loyal to the Progressive Conservative Party and who have been rewarded with appointments and the money for their salaries is coming from the people of Ontario.

It even goes down to the local level; you can walk into any liquor store in Ontario and you can spot Progressive Conservatives left and right. Look around the province to see who have been appointed the chairmen of the various regional governments. That is a swear word in my municipality but apparently not in this Legislature. All of these people have been loyal to the Progressive Conservative Party and they have been rewarded, not with funds from the Progressive Conservative Party but with the taxpayers' dollars by placing them in these positions.

No one can tell me that all of those people are there solely on their merit and their credentials. The main credential, in most of those cases, is their adherence to the Progressive Conservative Party and the favours they have done for the party in the past.

10:10 p.m.

Surely we have reached the point in this Legislature in 1980 when a person should not be denied the opportunity to serve in one of these positions because of his political affiliation. That is the case at the present time, but when we take over the government that will be changed.

We also have the Ministry of Consumer and Commercial Relations which has been dealing with a problem which is pretty tricky for it. Certainly there are many people in the Niagara Peninsula, the Hamilton area and the Kitchener area who have been adversely affected by the situation that has existed with Astra Trust and Re-Mor. Many of these people have written me letters to express the fact. Some of them are pensioners or others who have put their life savings into these two firms—Astra Trust in one case and then gone further into Re-Mor.

These people have lost their money because of some unscrupulous activities by certain people who have been associated with those companies. One has to wonder how the provincial agency responsible to the Minister of Consumer and Commercial Relations (Mr. Drea) could possibly license Re-Mor under the circumstances that it did with the people who were associated with that company. Yet it was licensed by the province of Ontario

and the minister cannot shirk that responsibility.

As a result of that, these people are now suffering the financial consequences, many of them senior citizens who have put their entire life savings into something they thought was guaranteed. It seems to me that the Ministry of Consumer and Commercial Relations and, ultimately, the government of Ontario have a role to play in compensating those people because of the lack of diligence of that particular agency of that ministry.

I am hopeful that when the pressure is on, the government will act. There aren't that many people. It is not going to be a mass demonstration in front of Queen's Park such as we are going to see next Saturday. It is going to be a few people in terms of the total population of Ontario who are going to be concerned about this, but I am hopeful that the government will relent and compensate these people for the fact that it has been less than diligent in carrying out its duties.

This government prides itself on being a great financial manager. Both opposition parties have exposed the fact in many cases that indeed they are not the great financial managers they claim to be. They have run deficits year after year, while proclaiming themselves to be the party of balanced budgets.

One prime example I am aware of that is known to those in the Niagara and Haldimand-Norfolk regions is the Niagara regional library system. Here we have the Minister of Culture and Recreation (Mr. Baetz) with his officials, who supposedly are overseeing the finances of the regional library systems around this province. Yet, over three or four years, the Niagara regional library system went into debt by more than \$800,000. A system supposedly monitored by the provincial government, a system supposedly watched carefully by the provincial government, fell more than \$800,000 into debt.

**Mr. Sterling:** Where do they get their money from?

**Mr. Bradley:** From the provincial government, of course.

**Mr. Sterling:** They get it from the municipalities.

**Mr. Bradley:** No, no. The member should get his facts straight on this. The regional library systems are funded almost 100 per cent by the provincial government. I think the member had better speak to the Minister of Culture and Recreation who recognizes that at the present time.

**Mr. Sterling:** You know that is not right.

**Mr. Bradley:** I think the member for Carleton-Grenville had better check his facts. That is how regional library systems are financed.

One would think that when the provincial government is pouring so much money in, it would be diligent in ensuring that this money was being spent in an appropriate manner and that these systems were not falling into debt. They are not supposed to be accumulating these deficits, but perhaps they were following the example of the provincial government which has been rather good in the past dozen years at bringing about deficit financing.

They borrowed money without authorization and they ran up a debt. As a result, when I go to the minister now and say, "You were at least partly responsible for allowing this to happen. Will you now assist the area libraries around that relied on the regional library system for services in providing some very basic services?" As Pontius Pilate would do, he washes his hands of the whole situation and says it is a local problem and they can pay off their debt. He says, "Talk to those people."

Once again the local people in the Niagara region are asked to pay for a financial mistake of the provincial government, which was, of course, the case with regional government. We know who monitors the board's finances and that is what is important in this system.

I will discuss the school system that we have in this province a little later, but we have the issue of plant closings before the Legislature. It is an issue which has been here on a continuing basis. I have indicated to members of this House when I have spoken on other occasions that I have some personal experience with plant closings, so I am aware of the consequences of them.

One was perpetrated upon certain employees by International Nickel back in 1957 when International Nickel bought up a local plant, a machine shop, and ended up closing it down. As a result, many people were thrown out of a job at that time with perhaps a week's notice and perhaps severance pay of a week or two. One of the people who was involved at that time was my father. He had spent 22 years working for International Nickel and the "thank you" my father received from International Nickel was a week's notice and severance pay of a week or two.

**Mr. Laughren:** Stop picking on Inco all the time. What's the matter with you? Don't you know which side your bread is buttered

on? They give you \$12,000 and this is all the thanks they get.

**Mr. Bradley:** I shouldn't respond to interjections, but the members of the New Democratic Party should like the St. Catharines Standard. That would be a first because we all know where their affiliations lie and have "lied" for years.

What they point out is that Inco has probably made donations to both of the private enterprise parties that exist in this House. The one difference we see is that the Liberal Party, having received a donation from various companies, is not beholden to these companies. As a result, if you look at the policies enunciated by the Liberal Party, and if you look at the very strong stand taken by the leader of the Liberal Party on pollution emanating from the plant in Sudbury, you can clearly see that the political donation has not had an effect on this party.

But look across the floor at some of the orders that have been given to Inco over the years and how, when Inco starts barking, the provincial government starts heading in the opposite direction and backing off. This party does not do that and that is the basic difference we see at the present time. We are able to resist those temptations. Of course I speak for the party in the province which sits in this Legislature and for no one else. Others can defend themselves.

Back to plant closings: That is the experience I have had with that. As well, the members of the New Democratic Party would remember, because they attended some meetings in St. Catharines, certainly the member for Hamilton East (Mr. Mackenzie) did, when Columbus-McKinnon was on the brink of closing. We all know the tragedy that exists in that case for the number of people who lost out on full pension benefits because of the age category and number of years service category they fit into. They did not receive the kind of severance pay they felt necessary.

We now find out Columbus-McKinnon is looking around the province to open up an operation somewhere else. I understand they are looking somewhere east of Toronto at the present time. What in effect we are seeing is a company moving from one area, hightailing it from an area, which is unionized, where the union has been able to win for the workers in that company, and I think significant gains in terms of wages and benefits going to another area to start up a new operation.

10:20 p.m.

I investigated when I heard reports that perhaps they had received money from the



Minister of Industry and Tourism through the economic development fund. Fortunately, the government wasn't that politically stupid to be doling out money to a company that was running from one area to the other for political reasons. But those people who worked in that plant felt the consequences of plant shutdowns.

We in the Ontario Liberal Party feel this is an important problem and has been for some time. We recognize the provincial government, as is its wont, will attempt to channel all interest to a federal budget if they feel there are some items in that budget which are going to be unpopular. We know that. That is the time when the Premier of Ontario will fall off the knee of the Prime Minister of Canada. He has been there for the last several weeks when it was to his political advantage to be there, as well as—and I give him credit—believing that.

We in this House certainly have indicated with a good deal of unanimity that we are in favour of a position which is contemplating a strong central Canada. For that reason we in this Legislature have indicated that we are one voice when speaking in the national councils. Surely even the members of the New Democratic Party have embraced this position, which is one that is enunciated by the Prime Minister of Canada. So we have some kind of consensus in this House on that issue.

I think I was talking about plant closings at the time and what we in our party feel is important in terms of some minimum requirements in legislation. We do not consider what the Minister of Labour presented earlier today to be those minimum requirements. The difference between this party and that party to the left is that we are prepared to put our feelings on the line in terms of a no-confidence motion but they will go running, and I recognize why.

I sympathize with the New Democratic Party because I have seen some of these polls as well. I know principle means an awful lot to that party but the polls also are ringing a little bit of a bell within their caucus meetings. Therefore I understand why they will avoid any matter of no confidence. I respect that decision; I respect it as being politically astute, but gone are the principles that used to be enunciated by the Socialist party in Ontario.

I remember when we used to be able to look over to them and say, "We don't agree with them but at least we admire their principles—the fact they are able to stand for something." Now they are hightailing it out

the back door to support the government across the floor that they proclaim is somewhat useless to the working people of Ontario. But they will continue to prop up the government so they don't need to worry about that.

Interjections.

**Mr. Bradley:** I have obviously hit a raw nerve in that party and the last session was a clear indication of the fact that that party was prepared to support the government no matter what. I am led to believe from listening to the New Democratic Party leader at his press conference before this session of the Legislature opened that he will not support any motion of the Ontario Liberal Party no matter what that motion was—no matter if it contained those subjects which were dear to the heart of the New Democratic Party.

The New Democratic Party used to be very good at moving motions of no confidence. Members will recall that in the first and second years of this Legislature the New Democratic Party moved a good number of motions. It knew full well that this Parliament was going to last some time. But when it came down to the crunch, when there was actually a chance this government would fall, the New Democratic Party headed over to support the Progressive Conservative Party. Now we call it the Progressive New Democratic Party—I guess that is favourable—or the Democratic Conservative Party, a real contradiction; but then so is Progressive Conservative, so what is the difference.

As long as they have that party as friends, that demonstration on Saturday will not really evoke much in the way of legislation. We in this party feel we must increase the period of notice that a company is required to give its workers before layoffs occur; secondly, we must provide fair levels of severance pay for employees who are laid off, and thirdly, we must make pensions a right and not a privilege for workers in this province.

Because we feel so strongly about this issue in this party, we are prepared to oppose the government that will not implement policies designed to bring about a better working condition for the people of Ontario. We feel those in plants that are affected by shutdowns should not have to occupy these plants to get what is only social and labour justice. I have a feeling that eventually in this House the New Democratic Party will feel that heat so much that it will be supporting a motion of no confidence from this party.

Interjections.

**Mr. Bradley:** The ad hominem arguments now begin as I have hit the raw nerve.

We in this party, and certainly the leadership of this party and all members of this party, are very much concerned about the plight of those who are affected by these shutdowns. We feel that only action on the part of this government can continue support in this Legislature by all members of the Legislature.

If the government is not prepared to bring forward the kind of legislation we feel is for the good of the working people of this province, then we are prepared to move a motion of no confidence or to defeat that bill with the consequences of an election, if necessary, to give the people of this province a choice, whether they are going to have a government which is not going to take any meaningful action on behalf of those adversely affected by plant closings, or whether they are going to have a party which is prepared to take that action and prepared to put its electoral success or failure, whatever it might be, on the line in a provincial election, and not prepared to run at the first sign of a bad poll.

I know the people of my constituency feel very strongly about that and would feel very badly represented if I were not prepared to go to the front lines to defend the policy that we have enunciated and to insist that the provincial government bring about the kind of policies that would assist those adversely affected by these layoffs.

I know members of the New Democratic Party are genuinely concerned about this subject. They have spoken about it before in private and in public; they are on record. One need only read the labour newspapers in this

province to know that the leader of the New Democratic Party has spoken about this, and I think with a good deal of sincerity.

I know the member for Nickel Belt has for a long time felt very sincere about this problem and has fought long and hard for working people in this province. I know that if that government is not prepared to bring forward the kind of legislation he feels is necessary, then he is going to feel that he must defeat that government in this Legislature, and if necessary, bring about an election.

**Mr. Warner:** Right on. Now you are talking. We have time for a motion right now.

**Mr. Bradley:** Now that we have the commitment from those four members of the New Democratic Party who are in the Legislature—

**Mr. Sterling:** Let us have the motion.

**Mr. Laughren:** Put your money where your mouth is. Put the motion right now.

**Mr. Bradley:** We all know that motion will be placed at the appropriate time, and then the members of the New Democratic Party will have the opportunity either to defend the party of the rich and the established or defend the working people of this province. We recognize where they will stand after the gigantic demonstration on October 18.

I recognize that the time this evening is coming very close to 10:30, Mr. Speaker. We are probably a few seconds away, I would like to take this opportunity to adjourn the debate and promise the members of this Legislature that I will continue in the same vein at a future date.

On motion by Mr. Bradley, the debate was adjourned.

The House adjourned at 10:30 p.m.



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# **Legislature of Ontario Debates**

## **Official Report (Hansard)**

**Fourth Session, 31st Parliament**

Thursday, October 16, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, OCTOBER 16, 1980

The House met at 2 p.m.

Prayers.

## DAY CARE

**Ms. Gigantes:** Mr. Speaker, I rise on a point of personal privilege. The Minister of Community and Social Services (Mr. Norton) the other day challenged the information I had provided to the Legislature concerning the number and size of subsidies to infant day care spaces in the Ottawa-Carleton region and told this House he would have an update following a meeting in Ottawa. I wonder if he would now provide that information or withdraw his allegations against the priorities assigned to day care within the Ottawa-Carleton regional municipality.

**Mr. Speaker:** If the honourable minister made a commitment to look into something I am sure he will provide that information in his good time. If the minister does have a response to the alleged point of privilege I will hear it.

**Hon. Mr. Norton:** Mr. Speaker, I think that would be an appropriate matter for a question during question period. I indicated to the member at the time that she and I would know when that report was tabled in the Ottawa-Carleton region. I do have that information and would be prepared to respond to that during question period.

## MINISTRY DOCUMENT

**Mr. Laughren:** Mr. Speaker, on a point of privilege: When the integrity of the province of Ontario is abused, I believe the privileges of the members of this chamber are also abused.

For that reason I rise to express my anger and disappointment at the action of the Minister of Industry and Tourism (Mr. Grossman). He has assembled, at a cost at which we can only guess, a slick, expensively packaged document that is designed to sell out Ontario. We have more than 3,000 people unemployed in this province and our economy needs rebuilding from within. Surely our privileges as members have been abused, because we are here to deliberate on and make

decisions about the development of the Ontario economy.

With this document the minister is attempting to sell us out around the world. He is attempting to have those decisions that rightfully belong here made elsewhere in the world. For that reason I feel my privileges and the privileges of all members of this chamber have been abused because we are here to develop Ontario, not sell it out.

**Mr. Speaker:** Obviously, the honourable minister to whom the accusation is directed is not here and he may wish to respond in his own way on another occasion. I think, though, that the honourable member uses convoluted logic to suggest that an action of a ministry abuses or abrogates the privileges of any individual member of this House. However, I will wait to hear what the Minister of Industry and Tourism has to say.

## BRUCE AGRIPARK

**Mr. Mancini:** Mr. Speaker, on June 12 I tabled the following question in the Legislature, and I quote: "Will the ministry," and I am referring to the Ministry of Energy, "table the names and job description and their salary levels for all employees associated with the Bruce Generating Station greenhouse experiment?" On October 4, some four months later, I received the following reply: "The Bruce AgriPark Joint Venture has engaged Mr. Peter Van Tuyl as the grower for the greenhouse. It is the decision of the owners of the joint venture and their staff that the details of employee salaries not be made available."

I have information that informs me a very major part of the expenditures of the Bruce AgriPark Joint Venture has been funded by the Ontario government, possibly to the tune of half a million dollars, and further, that the Ontario Energy Corporation holds six of 25 shares available. This group of private investors has been willing to work in conjunction with the government and has been more than willing to accept public money for its expenditure, but it appears as if it is not willing to defend these expenditures.

How does the public know whether or not outrageous salaries are being paid or if excessive staff have been retained?

I also have information that certain government civil servants have been seconded to work on this project, in particular Peter Szego from the Ministry of Energy.

This past week, the Minister without Portfolio responsible for freedom of information (Mr. Pope) stated the government is turning a corner and will not be as secretive as it has been in the past. Certainly this answer from the Minister of Energy (Mr. Welch) disproves that statement. As a member of this House, I believe I have a legitimate grievance. My privileges as a member of this House have been abused by the Ministry of Energy for not tabling what appears to me to be information that does not have any need to be kept secret. I appeal to you, Mr. Speaker, to rectify this grievance.

**Mr. Speaker:** Obviously there was an answer given, as the honourable member states, on October 4. It is the prerogative of the ministry to answer in any way it deems fit. It has to respond within the time provided for in our standing orders.

If you are not satisfied with the nature of the answer, there is no power vested in the chair to insist that the ministry answer in any other way than that which it has. If it wants to withhold that information, the honourable member can draw his own conclusions.

I do not know that any power rests in the chair to insist that the ministry answer in any particular way that might appeal to the honourable member who raised the alleged point of privilege.

2:10 p.m.

**Hon. Mr. Welch:** I am at some disadvantage, Mr. Speaker. I was in consultation with one of my colleagues and did not hear the whole matter. I thought that under the circumstances it might be wise for me to see and read the point that was made by the honourable member and then reply.

I do know there were a number of questions directed to the ministry and placed on the Order Paper by the honourable member. I know of his keen interest in this particular project, and I would want to assure him that certainly I would want to make sure he has all the information he needs to come to a fair and objective decision with respect to what is going on there.

As soon as I have had an opportunity to take a look at Hansard, I will be able to respond.

## STATEMENTS BY THE MINISTRY PHYSICALLY HANDICAPPED REPORT

**Hon. Mrs. Birch:** Mr. Speaker, later today I will be tabling the fifth annual report of the Ontario Advisory Council on the Physically Handicapped.

This council is to be commended for its diligence and dedication in putting forth recommendations aimed at enhancing opportunities for disabled people to live a full and productive life. The council works closely with the provincial co-ordinator of rehabilitation services, Mr. Robert Waterhouse, and his staff.

Mr. Speaker, as you are aware, next year has been declared International Year of Disabled Persons by the United Nations. I know the advisory council will be involved in promoting equality for all disabled persons in our society.

Mr. Speaker, in your gallery today is Mr. Jack Longman, council chairman, Mr. Bill Watson, vice-chairman, and Mr. Gerald Clarke, executive officer. I would like, through them, to express my sincerest appreciation to all council members and staff for their untiring and continuing efforts on behalf of all handicapped people.

## SPECIAL ENVIRONMENTAL POLICE FORCE

**Hon. Mr. Parrott:** Mr. Speaker, since becoming the Minister of the Environment, I have established several priorities for this ministry. One of those priorities has been tougher enforcement. There have been a number of initiatives taken to achieve this, most notably an increased number of prosecutions and a policy change to make control orders more enforceable. But in the serious issue of illegal and unsafe disposal practices for liquid industrial waste, it is evident that we must increase our effort to protect the environment and public health.

The members of the House are familiar with the steps I have been taking in this field. We have a better waybill system, better handling and classification guidelines, increased monitoring and testing, a proposal for a perpetual care fund, a program to find and upgrade abandoned dump sites, and the all-important proposals for the urgently needed treatment facilities.

I am sure I do not need to tell the members that the severity of the liquid industrial waste problem has resulted in a dramatic increase in demand for the ministry's control and surveillance services in the past two



years. It is a matter of record that the availability of landfill sites for untreated liquid waste disposal has decreased as we continue our program of phasing out this unsatisfactory practice.

But while the number of sites has decreased, the volumes of wastes generated by Ontario industries have not. Until we can establish appropriate treatment facilities, the temptation for illegal disposal by the unethical waste hauler or industry is steadily growing. The necessity for more monitoring, surveillance and investigation will continue to grow as well.

To help alleviate this problem, I took a proposal to cabinet in early September, at which time the entire package was completely approved. So today I would like to bring the members up to date on three of our latest initiatives to crack down on the illegal dumping of liquid wastes and other illegal environmental activities.

We are currently hiring 13 new staff members to form a highly trained environmental police force. This special team will carry out spot audits and special checks of industrial, commercial and municipal records and activities. By having trained investigators and inspectors making a full-time effort, we will be able to prevent misuse of our waybill system and then in time reduce to an absolute minimum even the most minor illegal behaviour.

The 13 investigators, operating from our regional offices, will work closely with inspectors and scientific staff. They will, I am sure, add a special dimension beyond the normal ongoing inspection, abatement and enforcement programs of my ministry. This additional level of enforcement will bring about more effective compliance with regulations.

A large part of the unit's work will involve investigation and reports on the collection, handling and disposal of industrial wastes. If there are any midnight haulers around, this unit will be out to get them.

Our special investigators will take charge of investigations into illegal dumping, gather evidence in preparation for prosecutions and will investigate unusual complaints from the public, the municipalities or other agencies, including industry. We are also beefing up our legal services branch, to aid it in handling additional prosecutions and control orders, by providing two additional positions,

Finally, I will be introducing legislation this session to amend our existing statutes. These amendments will, for the first time,

set minimum fines for illegal handling, hauling or dumping of liquid industrial waste. We will also be empowered to seize and impound any vehicles involved in committing these illegal acts.

I am sure the members of this House will agree this is a key step in ensuring tough and efficient enforcement of our environmental programs.

#### ONTARIO SKI BOB ASSOCIATION

**Hon. Mr. Baetz:** Mr. Speaker, some time ago I promised the member for Port Arthur (Mr. Foulds) a report on matters relating to the Ontario Ski Bob Association and an International Grand Prix competition it held in Thunder Bay last March.

As honourable members may know, ski bob involves a person riding downhill on what is essentially a bicycle that is equipped with skis. The sport has been popular in Europe for some time and is just starting to grow and develop in North America.

In 1978 my ministry was approached to help establish the Ontario Ski Bob Association and we responded with a startup grant of \$2,000. Last fall we were asked to help the association stage an International Grand Prix at Thunder Bay. We evaluated the association's application and ultimately approved an equipment grant of \$14,000 and a hosting grant of \$19,000 to help the association.

As members know, Wintario noncapital funds are designed to pay up to 50 per cent of the eligible costs of any project. I am informed the public money involved in this event was used in the following ways: (1) \$14,000 for both competitive and recreational ski bobs; (2) roughly \$9,500 to bring seven international officials from Switzerland to officiate at the Grand Prix; (3) \$6,000 to conduct two intensive training camps for the Canadian team—some of those costs were accommodation costs which were paid; (4) roughly \$3,500 for such staging costs as timing equipment and promotion.

The event did take place and it received 30 minutes of coverage by the CBC's national television network last April 5.

As members know, Wintario funds are advanced to match money that is raised privately. In discussions with the ski bob association, the ministry was satisfied that the association's plans would ensure that private support. The ministry had taken note of evidence that there was growing interest in the sport. Ski resort operators in Ontario had committed themselves to ski bob develop-

ment programs and the CBC had made its commitments to cover the grand prix.

Unfortunately, the private sector support for which the association had planned did not materialize and, as a result, the association has not been able to meet all its financial obligations connected with the grand prix.

2:20 p.m.

The president of the association was charged on May 21 with fraud related to unpaid bills. At a preliminary hearing last week, the court concluded there was not sufficient evidence to proceed to trial and the charge was dismissed. At this point it is claimed that the association owes suppliers in Thunder Bay approximately \$22,000 in relation to the grand prix. To date, no civil actions have been commenced by the suppliers to recover the money.

I might also add that at this point the association is in debt to the crown for the Wintario grants it has received to date. The terms and conditions of Wintario grants require that matching funds be produced and that a full financial accounting be submitted to the ministry within 60 days of the completion of the event for which the grant was awarded.

Ministry officials have been informed by the president of the association that a full accounting will be submitted to the ministry next Friday. I am not insensitive to the situation in which the association's creditors in Thunder Bay find themselves. However, the ministry cannot become involved in a business dispute between the association and its creditors. I am informed that the association's president continues to attempt to raise matching money and meet these obligations promptly. Nevertheless, to this moment the association has failed to meet terms and conditions of its grants and is therefore in default.

I would advise this House that I have instructed my officials to initiate proceedings to recover the grant moneys from the association. If the association succeeds in raising its private support, it will be in a position to meet its obligations to its creditors. That in turn would mean that it had met its obligations to the ministry.

I think it is vital that we all remember that during the last five years the Wintario non-capital grants program has contributed \$20 million to the support of sports events in this province. It has processed more than 23,000, not 2,300, grant applications, and successive ministers have approved almost 19,000 of those applications. To the ministry's knowledge, this is the first time this sort of problem has ever been encountered.

## ORAL QUESTIONS

### CHRONIC CARE FACILITIES

**Mr. S. Smith:** What happened to the health department? They have all disappeared. The Provincial Secretary for Social Development (Mrs. Birch) was in the House a moment ago; I still see her papers. I will address the question, pending her possible return or pending the arrival of the Minister of Health (Mr. Timbrell), to the Deputy Premier.

Can the Deputy Premier make some comment about the fact that the public is now aware of what the government already knew: that there are 2,000 elderly who are being kept in beds that are inappropriate for them? They are in hospitals that are forced in other situations to turn away acute cases. Can the minister explain why the government has delayed an order to study, when a year ago it was told in the report from Metro social services that even if it went ahead with non-institutional programs there would be a need for 740 additional beds by 1981 and 7,000 beds by the year 2001?

Why, in addition to delaying and doing further studies rather than trying to remedy this situation, has the government not only delayed the matter but compounded it? Why has it instituted cutbacks in acute care over the last few years, leaving the situation now where people are lined up waiting for nursing homes on the one hand and waiting for beds in acute care hospitals on the other?

**Hon. Mr. Welch:** Mr. Speaker, we have the benefit of having the question in Hansard now. It is my understanding that the Minister of Health will not be in the House today but will be here tomorrow and will respond in full at that time.

**Mr. S. Smith:** By way of supplementary, Mr. Speaker, this is a most unsatisfactory answer.

Interjections.

**Mr. S. Smith:** Perhaps the members who are regaling themselves with laughter would like to talk to the people who are waiting for admission. Perhaps they could speak to the relatives of the people who died when they couldn't get admission because the beds are being occupied by people who should be in nursing homes.

Perhaps the minister would like to explain how the health system in Ontario, which was the finest in this country and in North America, is now a shambles with 2,000 people in Metro alone inappropriately placed and 303 people on the waiting list for



nursing homes in Hamilton-Wentworth alone. Is he prepared now to stop the lunacy of cutting back in the health system and start building the hundreds of nursing home beds that are required immediately, not the drop in the bucket he has offered?

**Hon. Mr. Welch:** Perhaps it will come as no surprise to the members of this House that this government prides itself on the degree of health care that is being provided to the people of this province. If we have a choice between the posturing and the rhetoric of the Leader of the Opposition and the dedicated commitment to action on the part of a caring Minister of Health, we are with the Minister of Health on this particular issue.

**Mr. Cassidy:** Mr. Speaker, I have a supplementary question to the Deputy Premier on behalf of the whole government, not just the Minister of Health.

In view of the fact that the Liberal Party was advocating cutbacks at a time when this government was carrying out the cutbacks that have created the current crisis in the health care system, will the Deputy Premier undertake on behalf of the government to end the cutbacks that have created a situation where there is a shortage of 2,000 chronic care beds in Metropolitan Toronto alone, that have created a situation where eight out of 12 hospitals we surveyed in northern Ontario yesterday indicated a serious problem because of the shortage of chronic beds, and that have created a shortage of chronic care space across Ontario? Will the government end the cutbacks that have created that situation and give us a decent health care system again in Ontario?

**Hon. Mr. Welch:** I hardly need to remind the leader of the third party with respect to the percentage increases in hospital budgets during this fiscal year, but I do repeat that the Minister of Health will be in his place tomorrow and will deal with this matter quite fully tomorrow.

**Mr. Conway:** Mr. Speaker, a supplementary to the Provincial Secretary for Social Development: Will she give us an assurance that the report of the Hospital Council for Metropolitan Toronto, which is spoken of in today's edition of the Toronto Star and which has been paid for in whole or in part by the provincial government, will be made public immediately so the full measure of the outrage to which it speaks will be clear not only to the members of this assembly but to the community at large?

**Hon. Mrs. Birch:** Mr. Speaker, not having the advantage of seeing the report, not even

having the advantage of seeing the story in the Toronto Star, nevertheless I can give this House the assurance that the Minister of Health will probably release the report immediately.

**Mr. McClellan:** Mr. Speaker, I will ask the provincial secretary this supplementary: Since I gather the report indicates many elderly people would be better served in less costly homes for the aged, can she tell us why her government has managed in the course of the last three years to cut the number of beds available in homes for the aged, either charitable homes or municipal homes, from 28,234 in 1977 to 28,032 in 1980-81? Can she explain why the government has aggravated the shortage and why there are not any funds of any substance available in the budget of the Ministry of Community and Social Services this year to remedy the destructive cutbacks the government has been engaged in over the past three years?

**Hon. Mrs. Birch:** I would think it would be perfectly obvious to the member that as we provide alternatives to institutional care there is less need for more beds in institutions.

**Mr. S. Smith:** The minister must surely know that even with the alternatives, we need 740 additional beds in Toronto alone today.  
2:30 p.m.

#### KU KLUX KLAN

**Mr. S. Smith:** The ministers keep disappearing. Where did the Provincial Secretary for Justice (Mr. Walker) go? The Attorney General (Mr. McMurtry) is away, but I thought the Provincial Secretary for Justice was here. He was here just a minute ago. I will put the question to the Deputy Premier. I presume the minister will be back at any moment.

Mr. Speaker, I have a question on the subject of the Ku Klux Klan's attempts at recruitment in the parking lots, and so on, of the schools in Metropolitan Toronto. Given that the message being handed out by the members of the Klan blames the blacks and minorities for various social ills, high taxes, brutal crimes, anti-white movies and so forth—and that is part of what is written on the cards that are being handed out—can the minister explain why it is the Attorney General has been satisfied simply to tell the high school principals to look into the matter of the trespass law, or something of that kind, when, under the hate literature provision of the Criminal Code, there would appear to be every reasonable opportunity for charging

the members who are handing out this material?

I will simply read to the minister from the code: "Everyone who, by communicating statements other than a private conversation, wilfully promotes hatred against any identifiable group, is guilty of an indictable offence punishable on summary conviction."

Given that these cards appear without any question actually to incite hatred or wilfully promote hatred against certain identifiable groups, can he explain why the Attorney General has been satisfied to talk of the trespass law rather than bringing a charge under the Criminal Code?

**Mr. Speaker:** Did the Provincial Secretary for Justice hear the question?

**Hon. Mr. Walker:** Mr. Speaker, I did catch the benefit of part of the question in the outer chamber. I do know that the director of crown attorneys and the entire crown's office is addressing the question at this very moment. I understand they intend to issue some response before very long, within a day or two. I would suggest that the Leader of the Opposition might await the return of the Attorney General or the Solicitor General tomorrow, at which time the question might be more appropriately addressed.

**Mr. S. Smith:** By way of supplementary, could the minister explain to me, if he is privy to some of this information and is aware of what has been happening, why the Attorney General would bother to make a response by sending out to high school principals some reminder that there is such a thing as trespass legislation when the Criminal Code seems to speak to the matter very clearly indeed? Why was such a reminder about trespass sent? It almost carries the implication that as long as it is handed out on the street instead of in the parking lot it would be okay. Why would he do that rather than go right to the Criminal Code?

**Hon. Mr. Walker:** I would hardly think it appropriate for me to comment on why the Attorney General is doing any particular thing. It is up to him to respond and when he is here he can. I would assume, however, that an interim proposal has been sent out until the crown attorney has completed the investigation fully. The member would not want any action to be launched until the crown had completed the investigation in a very thorough, intense way. I am sure the member would not want that.

**Mr. Warner:** Mr. Speaker a supplementary: Obviously, the Attorney General who made

the bold statement that he is declaring war on the KKK is using a pea-shooter instead of a cannon because, for starters, the Trespass Act is of no value when the material was not handed out on the grounds of the school. It was handed out off the grounds.

Does the minister realize that in addition to the cards there have been numerous other materials available which read, in part: "White people are experiencing the same degradation that the white people of the south experienced in Reconstruction, the same black crimes, government corruption, civil degeneracy and even the same inflation and economic disintegration. Either we must take a stand now for our racial and cultural heritage or we will forfeit them."

I ask this government to say unequivocally right now that the full intent of our human rights legislation and our hate literature laws have been violated, and those who have violated them, namely the Ku Klux Klan, should be put out of business now.

**Hon. Mr. Walker:** Mr. Speaker, when the Attorney General indicates that he is declaring war on them, it sounds to me as if he is going to use a cannon as opposed to a pea-shooter, so perhaps the member has that mixed up. I would think he is revealing nothing but the absolute intent of this government to ensure this kind of racial hatred is not continued. The member should not for a moment think we are countenancing it.

**Mr. Epp:** Mr. Speaker, a supplementary: Is the minister aware that literature such as this is being disseminated in the city of Toronto and in other parts of the province and will he ask the Attorney General to investigate whether this violates any laws within the province?

**Hon. Mr. Walker:** Mr. Speaker, I certainly will transmit that message to the Attorney General, but I can tell the House at this very moment that he is intending to bring the full weight of the law upon these individuals who would attempt to dispense this kind of inappropriate information.

#### MASSEY-FERGUSON

**Mr. Cassidy:** Mr. Speaker, I have a new question for the Minister of Industry and Tourism. In view of the fact there are 6,000 jobs hanging in the balance at Massey-Ferguson and up to 9,000 spinoff jobs that would be affected in Ontario if the company shut down, will the minister explain why he has had so little interest in protecting those jobs that he has refused the specific request of Massey officials to meet with him?



**Hon. Mr. Grossman:** I have not refused a specific request by Massey to meet with me.

**Mr. Cassidy:** Supplementary: We met with the company yesterday and we were informed they have been trying to meet with the minister for a period of more than a month and have had no success at all. Can the minister tell us, since he is abdicating his responsibility that way, what contingency plans the province is drawing up in case the federal government refuses to save this Ontario industry? What is the government doing here to take advantage of Massey's proposal to set up diesel engine production at the idle Chrysler engine plant in Windsor if Massey survives?

**Hon. Mr. Grossman:** Needless to say, if there is an opportunity to obtain anything approaching the diesel engine production for that facility in Windsor, we will obtain that. I must say that this government, unlike any other government in North America, has a track record on that in terms of the Chrysler deal. We will look for that sort of net gain for Ontario if there is an arrangement to be made with Massey-Ferguson.

May I also say quite clearly and directly that my officials and I have spent more time on the Massey-Ferguson matter over the past month and a half than we have spent on any other issue. I say that clearly and unequivocally. Hours and hours each day are being spent at the senior level of my ministry talking with both Massey-Ferguson and with the federal government.

**Mr. Cassidy:** The minister hasn't met with them. Why not?

**Hon. Mr. Grossman:** I will explain that very circumstance. Without overstating it, my deputy minister has had day-to-day contact with the senior level at Massey-Ferguson. He has indicated to them—

**Mr. Cassidy:** The minister has kept them at arm's length. Fifteen thousand jobs are involved.

**Hon. Mr. Grossman:** Why doesn't the member let me finish. He has indicated to Massey-Ferguson, and they know it very well, that the moment at which it is necessary or appropriate for their senior officials to meet with me, that will occur. I say that quite clearly and unequivocally so that even that member can understand and can report back to the people who informed him from Massey-Ferguson.

I know those people were not Victor Rice or any of his senior officials. I know the

people who contacted the member, but if he will check with Victor Rice, I assure the member that Mr. Rice will not tell him I refused to meet with him. He will tell the member he has had the utmost co-operation from this government and from the federal government.

If the member really wants to check his sources, he should not go on what someone somewhere at Massey-Ferguson said; he should be responsible for a couple of minutes and check with Victor Rice, who is running the company, and find out how dedicated we have been to saving those jobs, not to standing over there and posturing.

2:40 p.m.

**Mr. Nixon:** Supplementary, Mr. Speaker: Since the test for the interest payments on about \$900 million of loans is only 14 days away from Massey-Ferguson, can the minister assure the House that those tests are not going to precipitate the bankruptcy or other disruption of Massey-Ferguson? If he can give that assurance, can he indicate what part this government is going to play in being sure that the company does not go into bankruptcy or receivership at that time?

**Hon. Mr. Grossman:** Mr. Speaker, if there is a reasonable proposition that can be put together with the federal government, ourselves and other people from the private sector which will avoid bankruptcy, then that deal will be accepted by this government. The question is still out there and being worked on at the present time as to whether a reasonable package can be worked out.

The member asks what is reasonable, and our definition of reasonable is obviously not something which is tantamount to a package that would keep the company in business another few months and have the net effect of relieving the banks and other creditors from some responsibilities. A reasonable package, in our view, would be something that puts the company on a firm enough footing to be in business for many years and to gain its share of world markets and therefore secure those jobs.

**Mr. Makarchuk:** Supplementary, Mr. Speaker: Can the minister explain why, when he visited Brantford on June 19, his statement was to the effect that he would do everything possible to ensure that the operation continues, while the fact is that Victor Rice was able to meet with the Premier but he has been unable to meet with the min-

ister who is responsible for that? Why does he not discuss the matter with him? Furthermore, when the minister is assuring the community he is going to do everything possible is he aware of the fact that there are thousands of farmers whose whole economic existence will be jeopardized when they are denied access to parts from Massey-Ferguson should that plant shut down?

**Hon. Mr. Grossman:** Of course we are aware of the implications of any bankruptcy that might occur with Massey-Ferguson; otherwise we would not be spending this much time on this matter.

Second, I should point out that if Massey-Ferguson should run into more difficult times and go into receivership or bankruptcy it is almost certain if there is a market, and there will be, for replacement parts, obviously someone else is going to get into the business of supplying those replacement parts because the demand is clearly there. That will almost certainly occur. That is not to understate the extent of the problem, obviously—

**Mr. Makarchuk:** That is nonsense. Are they to sit and wait until the parts appear? Will the crops wait? That is nonsense, and you know it.

**Hon. Mr. Grossman:** I will wait until the member is finished postulating. In any case, I can assure the member we are aware of the seriousness of the problem; that is why we are spending so much time on it. I think, though, it would be unfair to pretend that simply an injection of a lot of taxpayers' dollars into that company will solve the problems.

As the member well knows, in the case of John Deere, International Harvester, White Farm Machinery, certainly all of them are experiencing rather extreme layoffs. That is because the market has dropped dramatically this year. It is beginning to turn around, and that is why in June I was able to anticipate, after having spoken at great length to many people involved in the industry, that the markets would be better this year and that there would be recalls. Those recalls have not started just yet in mass numbers; they are just beginning to start.

The point I am making is even if there were a massive injection of taxpayers' dollars today, that would not get a whole lot of people back to work tomorrow morning or next month. That is very much a function of markets. I know the member would be the first to criticize us, and quite properly so, if

the net effect of a massive injection of taxpayers' funds resulted in only the creditors being saved and in the long term the jobs not being saved. That is our end goal.

Finally, may I say the member is quite right, this process started when Victor Rice saw the Premier and asked if this government was interested in maintaining those jobs in Brantford.

**Mr. Makarchuk:** Where was the minister?

**Hon. Mr. Grossman:** I happened to be out of the city during that period of time in the summer. As a result, there was no need, I might say, for me to go through the public posturing of hand-wringing by meeting Victor Rice and going in front of the cameras daily, letting the public know how concerned we are. Instead, Mr. Rice agreed that we should put senior people in my ministry, in Treasury and at Massey-Ferguson together to work hard with the federal government to see if a proposal could be brought forward.

At the present time, there is not in front of us a specific proposal that will work. I say quite simply there is not a long-term viable proposal before us. When there is, all levels will sit down, as was the case in the Chrysler deal, and see if an arrangement can be worked out.

I would remind the member that we consummated a very good deal for Ontario in the Chrysler situation, notwithstanding the fact I only met with Mr. Iacocca at the very last meeting in the entire circumstance. That is the way this one will unfold. I hope we will be able to save those jobs, but only if we handle it carefully.

**Mr. Peterson:** Mr. Speaker, the minister has been singularly uncommunicative on this issue. Could he give some assurance about what kind of time deadline he has in mind, to give some assurance to the workers who are employed by the company? Is he in a position now to give us his official response on the Argus bail-out in this situation and what he is doing to involve them in the reconstruction of the company in some way or other?

**Hon. Mr. Grossman:** I have nothing to add, with regard to the Argus situation, to what I said when I met with the press and commented last week. If Conrad Black or Argus wants to be one of the private sector participants in restructuring the company and comes forward with a reasonable package, then they, like others, will be considered as participants.

May I say to the honourable member I do understand and share his concern and that of the members for the ridings involved. I think



he will appreciate that I do not think it is quite fair or accurate to say we have been particularly uncommunicative. It is very difficult to strike a fair and adequate deal on behalf of the taxpayers if we are in a position of unfolding day to day the government's position and our considerations with regard to a level of funding or such circumstances. That is a situation where one ends up being taken advantage of and perhaps not securing the jobs.

**Mr. Cassidy:** Mr. Speaker, the minister is trying to be a passenger in this thing.

**Mr. Speaker:** Order. A new question.

**Mr. Cassidy:** I have a new question for the Deputy Premier (Mr. Welch), who has disappeared.

**Mr. Laughren:** He has only to turn sideways to disappear. Stand up.

**Hon. Mr. Welch:** I am standing.

**Mr. Laughren:** He was just whipping his parliamentary assistant into line.

#### CHRONIC CARE FACILITIES

**Mr. Cassidy:** Mr. Speaker, my question is to the Deputy Premier. Can he account for the fact that the health problems of the province have to be plastered across the Toronto Star on page one and page two and right through the entire newspaper before the government will even acknowledge that any problems specifically exist?

Will the Deputy Premier not acknowledge that not only are there problems with chronic care facilities being unavailable but also there are problems with the government's refusal to ensure that paramedical services are available so that cardiac patients' lives can be saved and ambulances do not bring people into the hospitals dead because they were not kept alive when they were reached at their homes? Why is the government not prepared to abandon its cutbacks mentality and to ensure that chronic care facilities are available and spending on prevention takes place as well?

**Hon. Mr. Welch:** Mr. Speaker, it seems to me that the two opposition parties compete for some attention with respect to this issue. This question was in fact the subject matter of the first question of the Leader of the Opposition (Mr. S. Smith), at which time I indicated that the Minister of Health (Mr. Timbrell) has these concerns very much in hand. I can assure the honourable member that the minister will be here tomorrow and will be able to respond to the questions already asked and the one just asked.

**Mr. Cassidy:** Mr. Speaker, I will redirect my supplementary to the Premier, who has just come into the Legislature.

In view of the revelations in the Toronto Star that about 2,000 old people were wrongly placed in hospital beds and between 18 and 25 per cent of the acute care beds in Toronto are now taken up with chronic care patients who should not be taking up those active treatment beds, will the Premier give a commitment to end the cutbacks mentality which created that shortage of chronic care facilities, not just in Toronto but across the province, in order that we have an adequate standard of health care in Ontario?

Interjections.

2:50 p.m.

**Hon. Mr. Davis:** Is it safe to proceed now, Mr. Speaker?

Interjections.

**Hon. Mr. Davis:** What did the member for Quinte say? I have a great reply for him but I do not want to upset the Speaker.

**Mr. Speaker:** I just heard the initial question to the Deputy Premier, which I sense is the same as the supplementary question that has just been asked. The Minister of Health is unfortunately away this afternoon and will be here tomorrow. The plan is to table the report before the House.

I myself have not read the report, but I have had some brief discussion with the minister. When members peruse the report after listening to the minister's statement tomorrow, I think they will find it was prepared prior to certain commitments given with respect to chronic care facilities within Metropolitan Toronto. This would indicate very clearly that the figures suggested are not up to date.

The minister will also be referring to this government's commitment with respect to chronic care referred to in the throne speech where, if I recall those very excellent paragraphs referring to this situation—and the Treasurer can correct me if I am wrong—the government has committed itself to a further 600 chronic care beds within the province.

**Mr. Swart:** We need 2,000 of them.

**Hon. Mr. Davis:** Before the member makes the mistake of jumping off the cliff as he did with respect to the report to the royal commission respecting the pulp and paper industry, which has turned out not to be a report, I suggest that he have a degree of patience, listen to what the minister has to say and assess the figures he may present. Then in his objective, analytical way and the fair-minded approach he takes to all of these issues, he might decide that perhaps there

is some substance in the things the minister will have to say tomorrow.

The honourable member can play as many games as he wants; he can go around this province talking about cutbacks in the health-care system. I am one who has some slight knowledge of health-care systems in other parts of this country and in parts of the United States, which I am not as familiar with as some members opposite are. But I will still defy anyone to find, in terms of quality and access, a better health-care system anywhere in North America than is available here in Ontario.

**Mr. Conway:** Mr. Speaker, my supplementary is to the Provincial Secretary for Social Development. When she gets around to reading the report of the Hospital Council of Metropolitan Toronto—I hope at a very early time—I would ask that she undertake a close comparative analysis to see how great a coincidence there is between what is pointed out with respect to these institutional requirements in this most recent report and what was pointed out in earlier reports. Among others, the interministerial report presented to her own secretariat five years ago spoke of a building crisis in this area, and the report of the Social Planning Council of Metropolitan Toronto of but a year ago talked of an unmanageable crisis.

Will the provincial secretary have a look at some of these documents that she has commissioned and paid for, five years ago in one case, to see just what has been pointed out to her and how painfully inadequate has been the response of her government?

**Hon. Mrs. Birch:** Mr. Speaker, I do not accept that criticism at all. A report written five years ago is certainly not relevant today.

This government has provided many alternatives and will continue to do so. I would just repeat what the Premier has said, that we do not have to take a back seat to anyone. The services we provide are the best anywhere.

**Mr. Renwick:** On a point of order, Mr. Speaker: My senses tell me the House might very well give unanimous consent to revert to statements if the Attorney General wished to make any comment about the Ku Klux Klan.

**Mr. Speaker:** Unless the Attorney General makes that request, I think you could ask him a question. We still have about 25 minutes left in question period, and you could direct the question to him.

**Hon. Mr. McMurtry:** Mr. Speaker, I do not have to make a statement. Can I accept

that simply as a question from the member for Riverdale?

**Mr. Speaker:** If it is simply a question, it is out of order. If you want to get unanimous consent to revert to statements, I will put the question.

**Hon. Mr. McMurtry:** Yes, I make that request, Mr. Speaker.

**Mr. Speaker:** Do we have such unanimous consent to revert to statements? This time will be deducted from the question period.

Agreed.

## STATEMENT BY THE MINISTRY

### KU KLUX KLAN

**Hon. Mr. McMurtry:** Mr. Speaker, I regret I was not in the Legislature when the Leader of the Opposition (Mr. S. Smith) directed some questions to the Provincial Secretary for Justice (Mr. Welch) with respect to the activities of the Ku Klux Klan in Ontario, and I think this might be an appropriate time for me to advise the House as to what I know in relation to the activities of this admittedly despicable and dangerous group of people.

The Ku Klux Klan in Ontario is basically an outgrowth of the Western Guard, many of whom engaged in criminal activities, many of whom were successfully prosecuted and the leader of which was jailed for some of his racist-related activities. The active membership of the Ku Klux Klan in Ontario is believed by police, who have been monitoring the situation very closely, to be not more than 30 individuals. The fact that they have not gained a foothold in Ontario is to the great credit of the citizens of Ontario who know them for what they are—a highly dangerous, despicable, criminal group of individuals with a very treacherous, destructive history.

That is not to suggest that any degree of complacency should be entertained by law enforcement authorities or any concerned citizens. Since it first came to our attention some months ago that some efforts were being made to gain a foothold in Ontario, particularly in the Metropolitan Toronto area, I requested the members of the Metropolitan Toronto Police Force to monitor the situation very closely and I am assured that they are monitoring it very closely on a day-to-day basis.

We are aware of the fact that some highly scurrilous racist material has been handed out and is being distributed, and the distribution has been attributed to the Ku Klux



Klan in the Metropolitan Toronto area. Our senior law officers have advised the Metropolitan Toronto Police Force that some material we have seen—and to our knowledge we have seen any material that has come into the hands of the police—does offend against the hate and propaganda sections of the Criminal Code. We have advised the police to pursue their investigation to determine whether they can establish who the individuals are who are distributing this material, most of which has clearly been printed in the United States.

There were some newspaper reports in the last 24 hours with respect to alleged activities of Klan members or people who represent themselves as members of the Ku Klux Klan in school yards. As a matter of fact, I listened to the acting director of the board of education for the city of Toronto on the radio this morning and he indicated that he had been unable to obtain any hard evidence that this is taking place but they are very much aware of the allegations.

3 p.m.

I have written to the chairmen of the various school boards in the Metropolitan Toronto area expressing my concern that, while this fortunately represents but a small, lunatic fringe of society, we still have to be vigilant and that any of these activities should be reported to the police. I have also reminded them of the new provisions of the trespass legislation which give school authorities greater authority with respect to keeping unwanted visitors or trespassers off the premises.

I repeat, there is no evidence to date that the Ku Klux Klan is achieving any real degree of success with respect to their recruitment activities in Ontario, but I want to assure the Legislature that this is none the less a matter of very real concern to us and we will continue to monitor the situation very closely.

## ORAL QUESTIONS

### OMB DECISION

**Mrs. Campbell:** Mr. Speaker, my question is to the Attorney General. Has he read and/or studied the recent decision of the Ontario Municipal Board relating to the St. Michael's land situation? If he has, I would ask if he will report to the House as to his opinion of the statement contained on page four of that decision which reads as follows:

"We believe that everything we say in this decision can be supported by the evi-

dence [one would hope so, Mr. Speaker] but, in order to avoid writing a book, we have not dealt with all the evidence heard at the hearing. That does not mean that we have not carefully considered it, for we have. What it does mean is that where it is in conflict with our position, we have not accepted it; we have rejected it in favour of other evidence."

**Hon. Mr. McMurtry:** Mr. Speaker, I have not read the decision. I have had a synopsis of the decision given to me. I prefer not to comment on any passage of the decision without reading it in its entirety, and I think the member for St. George can appreciate the wisdom of that course.

I will read the decision in its entirety and address myself to the question asked by the member for St. George as soon as possible.

**Mrs. Campbell:** I appreciate that response, but I wonder whether, in studying it, the minister would care to comment as to whether this is an appropriate way for a tribunal to try to avoid the possibility of appeal, which would seem to be the purpose of this passage.

**Hon. Mr. McMurtry:** Without reading the judgement in its entirety, I do not think it would be appropriate for me to comment further.

## HOSPITAL EMERGENCY SERVICES

**Mr. Breough:** Mr. Speaker, I have a question concerning emergency services which I would like to put to the Premier. I would like to ask the Premier to respond to the rather remarkable statements made by the head of the emergency services at Toronto General Hospital that two thirds to three quarters of all heart attack victims die before they get to any hospital here in Metro; that they are liable to be taken to the wrong hospital; and that, when they do arrive, the fiscal policies of the government have led to such restraint programs it is unlikely that qualified staff will be present. How does the Premier respond to those charges?

**Hon. Mr. Davis:** Mr. Speaker, not being an expert on the subject, and I am sure the Minister of Health may have some observations, I find that statement made by the honourable member—I know he is quoting something else—far from being credible.

## MEMBER'S 50TH WEDDING ANNIVERSARY

**Hon. Mr. Davis:** Mr. Speaker, while I am on my feet, I think there was some under-

standing that I would be a moment or two late and I had one very pleasant task to perform while all members were present. I would ask if there is still that agreement. I see there is unanimous consent.

I think it is fair to state that all members of this Legislature have presented plaques to their constituents on certain very important dates. Quite often those plaques are signed by the Premier of the province, with a little added note from the local member. I know all members appreciate the fact that when they present them to their constituents they point out that the Premier—

**Mr. Nixon:** No, we got our own printed up.

**Hon. Mr. Davis:** Of course, some members totally ignore it; I understand that. I would only say to the honourable member who just spoke that he is living in the past.

It is a very great pleasure today—in that the very distinguished member to whom I am presenting this plaque will be in his constituency tomorrow on rather urgent business related to the responsibilities he has in that part of the province—to make this presentation to him and to his wife, Alma. I will just read the plaque, as all members do when they are making this kind of presentation to their constituents.

Slightly amended, with a little poetic licence—some of it not so poetic; I want to make it abundantly clear to the very distinguished member that I personally wrote all this myself—

**Mr. Eakins:** You should frame it.

**Hon. Mr. Davis:** It's an excellent frame as well, I might suggest.

It is to Ossie and Alma Villeneuve of Maxville, Ontario, on the occasion of their fiftieth wedding anniversary—there won't be too many members who will reach that—and it reads:

"Your many friends at Queen's Park, Ossie, as well as the many friends you both have made in your own community, take particular pleasure in paying tribute to the honourable member for Stormont-Dundas-Glengarry and his charming bride of 50 years. As you celebrate this very special milestone in your marriage, I am sure you will look back on the past half century of mutual love and commitment and reflect with quiet pride on all that you have accomplished together.

"Your marriage united two young people from the two fine old cultures which settled and developed that part of eastern Ontario, and you have exemplified all that is best in both cultures, most especially those virtues and traditions on which our nation was built.

In every way you have set a splendid example in your family life and in selfless community service. The accolades now being directed your way are heartfelt and sincere."

I did presume, Mr. Speaker, as I do on occasion, to include my wife, Kathy.

"Kathy joins with me in extending warmest good wishes for many happy years together. May you long continue to enjoy a generous measure of those blessings which you have already shared in such abundance throughout your rich and very full lives." It is dated October 20, 1980, and signed by the member for Brampton.

Mr. Speaker, if I may have your permission, when I do have the pleasure of presenting these plaques, I always like to do it personally, to go down the row of seats and present this plaque to the honourable member on this occasion, rather than sending it through the page. I will seize this opportunity to do so.

**Mr. Villeneuve:** Mr. Speaker, I want to thank the Premier sincerely for this lovely plaque and express my thanks to all members of the Legislature for their good wishes.

I have had my ups and downs in life, like anyone else, but when I married the woman I did I made no mistake, I can assure you of that. She has been a wonderful wife and a great mother. Our home has always been one of love and affection. We never looked too much to the material side of life but we managed to get by for 50 years. Even if we went to different churches, it did not matter too much; we support both. We have been pretty well blessed with good health.

3:10 p.m.

**Mr. Samis:** Mr. Speaker, as I am the member next door to the member for Stormont-Dundas-Glengarry, and a fellow eastern Ontarian representative, I would like on behalf of the New Democratic Party to extend congratulations to the honourable member. I think the members of the Legislature should realize that Mrs. Villeneuve has performed a very special task and contribution to the people of Ontario. Since the honourable member does not have a riding office, I would dare to suggest that Mrs. Villeneuve has carried much of the burden of being the member while her husband is up here. We are indebted to her for her contribution to the province as well.

**Mr. Roy:** Mr. Speaker, on behalf of my colleagues and being a fellow eastern Ontarian, I join in expressing the wishes of our caucus on this extremely happy and worthwhile occasion.



Osie, mon ami, nous qui avons passé tout l'été ensemble, je voudrais te transmettre les bons souhaits du Parti Libéral, et je suis convaincu que tous nos collègues ici à l'Assemblée Législative se joignent à moi pour te demander d'accepter nos félicitations.

Ta vie a été remplie de succès non seulement comme député au niveau provincial et même au niveau fédéral, mais tu as fait aussi un grand succès de ton mariage. C'est quelque chose de fort important et nous sommes d'accord avec tout le monde ici présent, avec le Premier Ministre, pour te souhaiter bonne chance pour un autre cinquante ans.

**Mr. Breaugh:** Mr. Speaker, I appreciate that this government, and the Premier in particular, is much better at presenting plaques than at answering questions. But let me try again.

### HOSPITAL EMERGENCY SERVICES

**Mr. Breaugh:** I want to ask the Premier a question. It is apparent that, in a number of places in Ontario, emergency services are a problem and there is a clear trend now towards recommending the use of paramedics—I understand a report is about to be presented concerning Metro emergency services which will recommend the use of paramedics—and a number of our ambulance attendants already have qualifications of that kind.

Will the Premier now see that kind of cardio-pulmonary resuscitation and paramedic care is provided here in Metro, where it is possible? Will he also see that we do not run into a situation like the one in Sault Ste. Marie, where the Ministry of Health provided equipment and trained staff but the only problem was that they could not find a doctor in town who was prepared to co-operate with the system?

**Hon. Mr. Davis:** Mr. Speaker, I am delighted that the member for Oshawa is prepared in his own very fair-minded way to acknowledge that there are some things the Premier of the province does well. That is a breakthrough. It is the first time he has acknowledged that. I live in expectations.

**Mr. Breaugh:** That is it.

**Hon. Mr. Davis:** I know. That is exactly what the member said at the shovel-turning in Oshawa when I was there. He was saying how great that performance was. Those are two occasions. I expect the next time I visit Oshawa he will rush up again to have his picture taken with the Premier of the province to demonstrate that great affection once again. I know how the member operates. I

know what he says here and I know what he says when I am in his home community. Let us not kid one another.

However, what was the question? Sault Ste. Marie. That is the place the Leader of the Opposition is never going back to. I recall that as well.

I can only give the general assurance to the honourable member that whatever changes are necessary, whatever makes sense to improve the quality of health care in this province, this government will initiate it as it has done with every improvement for the past number of years. These initiatives make it, as I said to his leader and to which he was not listening, the finest health-care system anywhere in this country. That will continue to be the objective of this government.

### ONTARIO SKI BOB ASSOCIATION

**Mr. Hennessy:** Mr. Speaker, I would like to direct my question to the Minister of Culture and Recreation. It concerns the Ontario Ski Bob Association.

Interjections.

**Mr. Hennessy:** Just be quiet, fellows; you had your day.

I would like to ask the minister if his ministry could arrange a meeting with the hotel owners and the ski resort owners up there who requested a meeting with the Ministry of Culture and Recreation in the city of Thunder Bay. They feel it is imperative that they meet with the ministry and discuss the situation where they lost approximately \$22,000. They feel the ministry officials should meet with them and discuss it.

**Hon. Mr. Baetz:** Mr. Speaker, as I am sure the member for Fort William knows, we are prepared to meet with the operators up there at any time. Perhaps the most we can do is commiserate with each other for the time being while we try to sort out the unhappy situation that has developed with that grand prix. Certainly I am quite prepared to meet with the operators, preferably here in Toronto, or I will have my ministry staff meet with them—no problem at all.

**Mr. Hennessy:** Could I ask the minister if I could arrange a time? How about this Friday afternoon in Thunder Bay?

**Hon. Mr. Baetz:** Mr. Speaker, I now realize why the member for Fort William sent me a cigar a few minutes ago. Unfortunately, I shall be in the great city of Kirkland Lake this Friday afternoon, but in due course we will be prepared to meet with his friends up there in Fort William.

**Mr. Foulds:** Mr. Speaker, why is it the minister failed to document in his statement today any information he had that the Canadian Ski Bob Association could raise its portion of the funds privately? Does he not agree that the presence of his officials at the meet indicated to the operators of the hotels and the ski hills that the bill would be paid? Why did he not ensure the bill was paid before the Canadian Ski Bob Association decamped?

**Hon. Mr. Baetz:** Certainly in the first instance, in any project like this, we do not undertake any commitments on behalf of the project operators, not at all. The fact that members of my ministry were there participating in this particular event in no way suggested that the ministry was taking the responsibility for the finances.

I think it was rather unfortunate that the hotel operators themselves did not take the necessary steps to ensure the Canadian Ski Bob Association would be in a position to pay its bills. The fact they did not do that does not mean the responsibility for them failing to do so should redound to the ministry.

### RESCUE SQUADS

**Mr. Cunningham:** Mr. Speaker, I have a question for the Minister of Transportation and Communications. In view of the fact that more than 1,500 people die on Ontario highways every year and more than 90,000 people are seriously injured in motor vehicle accidents, when is the government going to properly fund rescue squads, such as the Simcoe Rescue Squad, which has saved hundreds of lives over the years? When is the government going to legislate proper standards to ensure the establishment of uniform high standards of rescue across Ontario?

**Hon. Mr. Snow:** Mr. Speaker, that question should more appropriately be addressed to the Solicitor General.

**Mr. Cunningham:** I would so redirect if I could, Mr. Speaker, if he was paying attention.

**Hon. Mr. McMurtry:** I always pay attention to the member's questions, Mr. Speaker. The issue, in relation to the work being done by the Simcoe Rescue Squad, I recognize as a very important initiative. Approximately two years ago we initiated a course at the Ontario Fire College with respect to extrication of victims trapped in automobiles as a result of highway accidents, it being the

belief that the fire departments were perhaps the best public body to turn to in this type of emergency. Since that time we have hired some well-qualified firefighters who, together with a large rescue unit, are travelling throughout the province giving instruction to local firefighters in relation to extrication of accident victims. As a matter of fact, the fire marshal's office had a demonstration in front of the Legislature just yesterday with respect to the equipment and the rescue unit.

3:20 p.m.

Fire departments throughout the province have shown great interest in maintaining or increasing their standard of performance with this type of equipment. We are encouraging municipal fire units to purchase this equipment, and we hope that there will be a high standard of this type of rescue activity established throughout Ontario.

In so far as legislation is concerned, with respect to the type of standards that should be utilized by individual fire departments, we are still to some extent learning about the best methods of extrication. A great deal has been learned in the past two years, though, and it may well be that legislation would be appropriate at some time in the not-too-distant future.

**Mr. Cunningham:** The minister has neglected to make any specific comment with regard to funding. Is the minister aware that more than half of the fire departments in Ontario lack the proper equipment? Has he discussed this matter with his own brother who, I believe, in his medical capacity has been quoted as saying that the cost of maintaining a paraplegic in Ontario is on an average of \$1.5 million for a lifetime? What are his comments on that? Has he considered implementing legislation or bringing in the private bill that is in the name of a member from his own party, the member for Simcoe Centre (Mr. G. Taylor)?

**Hon. Mr. McMurtry:** Mr. Speaker, with respect to funding, we would hope that the individual municipalities would recognize the importance of this work and would be able to provide funding as part of their firefighting budgets. We think this is an expense that local taxpayers would be quite prepared to support, given the importance of these rescue initiatives.

**Mr. Philip:** Supplementary, Mr. Speaker: Has the minister not seen the statements by his own brother which indicate millions of dollars are being wasted and, indeed, the lives of quadriplegics and paraplegics are



being wasted at chronic-care hospitals, all of which are funded by the provincial government, because a proper extrication system has not been implemented in the province?

Why can the minister not recognize that the Simcoe Rescue Squad is providing a service and at least fund it in the interim until such time as operations can be established at the local or municipal firefighting level?

**Hon. Mr. McMurtry:** Mr. Speaker, so far as public funding is concerned, it is my view that it should be channelled through the provincially funded institutions, such as the fire marshal's office, and the Ontario Provincial Police in areas that are not served by fire departments. Certainly, I would like to see additional funding.

I am quite aware of the statements made by my brother, Dr. Robert McMurtry, with respect to his work in the area of trauma generally. I am optimistic that there will be additional funding for these initiatives, which I think should be carried out and supervised by the Ontario fire marshal's office. But again, notwithstanding the desirability of provincial funding in this area, to encourage local municipalities to obtain this equipment and to train their firefighters in this activity, I am still optimistic that most municipalities will appreciate the value of this work and give it a high priority.

#### GAME AND FISH ACT

**Mr. Wildman:** Mr. Speaker, I have a question of the Minister of Natural Resources. Would the minister inform the House as to whether he agrees with the comments made by his parliamentary assistant in the House on Tuesday afternoon, that the Game and Fish Act cannot apply to treaty Indians? Also, could he clarify the policy of the Ministry of Natural Resources towards enforcement of fishing and hunting regulations on treaty Indians? Even though his parliamentary assistant claims that the ministry is unaware of it and takes a lenient approach, a crown attorney stated in court in Kenora on November 19, 1979, "From here on in, the crown will be asking for high penalties, extremely high penalties."

**Hon. Mr. Auld:** Mr. Speaker, I will try to give a brief answer. My understanding is that the federal Fisheries Act applies to all Canadians. As for the regulations passed under it for Ontario, I indicated at a meeting with a group of the native people or chiefs last spring that we and the federal government were prepared to accept special regulations

for different reserves for fishing for their own purposes which would be in line with the treaty rights that related to that band and/or that reserve.

There was a good deal of discussion on that. We are pursuing a proposal, which was suggested through the office of the Indian commissioner, to adopt a procedure, which I believe is being followed in British Columbia, in connection with a decision in simplified form, a decision by a senior person in the government, perhaps in the Ministry of Natural Resources or in the Ministry of the Attorney General or elsewhere, to give permission for permission to prosecute. No decision has been made on that yet. I expect at the next meeting we will be discussing that a little further, and we may have something further to go on.

**Mr. Wildman:** Am I to take from that that the provision under the Game and Fish Act that all individuals, hunting, fishing or trapping in the province must have a licence will not apply to treaty Indians? If that is the case, does the minister intend to exercise leniency towards treaty Indians? We have information that in a court case in Sioux Narrows in June 1980, when questioned by a defence attorney, a conservation officer stated he honestly did not believe it was the policy of the ministry to show leniency. When is the province really going to recognize and state clearly the treaty right to fish for food without harassment?

**Hon. Mr. Auld:** The situation as far as status Indians are concerned is that they are able to hunt and fish for food on their own reserves at any time without a licence. That has been the policy, as far as I know, since Confederation, and there is no suggestion that is being changed.

#### YOUTH UNEMPLOYMENT

**Mr. Sargent:** Mr. Speaker, I have a question for the Minister of Industry and Tourism. In view of the fact that the latest figures released as of August 31 show that there are 143,000 unemployed youth under the age of 25 in Ontario with no future; with this figure being supported by the shocking news in the report released today by the Ontario Economic Council which reveals that Ontario has the worst record in the free world with a youth unemployment rate of 14.5 per cent; and in view of the minister's disgraceful disregard for our youth, reaching alarming proportions, will the minister tell the House and these 143,000 youths why we

cannot marshal all our resources to institute a crash program to put our youth back to work?

3:30 p.m.

**Hon. Mr. Grossman:** Mr. Speaker, may I say that the kind of rhetoric the member and others wish to use to paint a bleak picture as though Ontario is far behind the rest of the world on a lot of economic counts is totally inaccurate.

If we look at the unemployment figures or the employment figures for Ontario, we find that there are some 35,000 more people at work in Ontario today than there were last year at this time. Last year, this province had 166,000 more people at work, year over year. Those are rather remarkable records.

If the member wants to compare them to other industrialized jurisdictions, as the study he is talking about does, let him pick the one he would like to compare it to. An industrialized jurisdiction is obviously a little different from, for example, a resource-strong province, such as Alberta, which is currently going through a resource boom. But I would point out to the honourable member that Alberta—taking that as an example of a resource-boom economy—is operating at about four per cent unemployment now, that is, about two and a half or three per cent below Ontario, which is in the midst of a serious downturn in its largest industry.

I suggest to the member that in terms of job creation, as he compares Ontario to any industrialized jurisdiction, indeed as he compares it to the rest of Canada, our job creation, notwithstanding the picture he wants to paint by using or twisting figures, is literally better than that of any industrialized jurisdiction he can point to.

**Mr. Sargent:** On a point of order, Mr. Speaker: This report, Unemployment and Labour Force Behaviour of Young People; Evidence from Canada and Ontario, by the Ontario Economic Council's research and study group, is factual and shows the disgraceful performance of this minister with regard to youth in this province. He says it is twisting and it is lies. Would he please tell the House how he knows this is not true?

**Hon. Mr. Grossman:** The point I was making was obviously that the remarks the member is making are part of a series of remarks that are trying to paint an overly bleak picture of the state of our economy in this province.

I see the member for Renfrew North (Mr. Conway) holding up one of the things we are trying to do to create employment in this province. I know that member did not complain when we gave a grant to get Westinghouse in Renfrew. Where was he? Let him tell the people of Renfrew that he does not want the 400 jobs that Westinghouse put in there.

**Mr. Sargent:** We have had a bellyful of this hotshot minister here. He has been posturing with all these figures. Will he tell us, within \$20 million or \$30 million, how much he is spending on the promotion of all his enterprises? There is television, billboards—he has three Ontario government boards. He is the best thing that ever happened to the media in all the world; television, radio, newspapers and billboards are making millions from him.

This plastic garbage he has here was probably made in Taiwan, like the scissors he gave us. The plastic was probably made in the United States, and he is talking about jobs for Ontario. I would like the minister to tell me how he can spend millions of dollars on promotion of crap like this yet he cannot spend five cents to put our youth back to work. That is what I am concerned about.

**Hon. Mr. Grossman:** The member is perhaps not totally aware of the fact that a great deal of work is being done under the aegis of the Ontario Manpower Commission to deal with the whole question of training our young people. I would invite the honourable member to compare that with the work being done in other jurisdictions to deal with that very same problem.

I would also invite the honourable member to have a look and see just what the American jurisdictions are doing in terms of coming up here to lure our industry to go there. I invite the honourable member to say Ontario should not seek to get new investments. This morning—

**Mr. Roy:** That is not the point and you know it.

**Mr. Speaker:** Order. Order.

**Hon. Mr. Grossman:** We let him use all the wild words he used.

I got a letter this morning from the industrial commissioner of, coincidentally, Owen Sound. I wish I had brought it today. Owen Sound was asking me to continue in our efforts to attract new foreign investment to the fine city of Owen Sound.

The honourable member may want to go back home this weekend and explain to the



people in Owen Sound that he does not want any of that; that he thinks this approach we are taking as part of an overall strategy is wrong—including the billboards, including our shop-Canadian program, including our export mission. He may explain that he is opposed to that sort of thing.

When things happen like Westinghouse—multinational corporations with Ontario government assistance—when they go into Renfrew, he knows there will be a lot of young people working at Westinghouse solely—

Interjections.

**Hon. Mr. Grossman:** When those things happen the Leader of the Opposition will have all the courage to stand up and say, "Generally speaking, I am against all foreign investments." Specifically, I want to see the member for Renfrew North go to Renfrew and say, "We are against Westinghouse going there." Is he prepared to say that? I will bet the member from Owen Sound does not go back this weekend and chew out the mayor and the council for writing and saying they want more.

Which side do the honourable members want it? Generally, they are against it; specifically, they are for it. Generally, they are against everything we are doing to compete for jobs; specifically they want us to bring them to their communities. Specifically, the honourable members want the youth to be employed, but generally they are against anything we do to attract it.

## REPORTS

### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mr. Cureatz** from the standing committee on general government presented the following resolution:

That supply in the following amount to defray the expenses of the offices of the Provincial Auditor be granted to Her Majesty for the fiscal year ending March 31, 1981:

Administration of the Audit Act and statutory audits program, \$2,590,000.

**Mr. Cureatz** from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr30, An Act respecting the City of Hamilton.

Your committee begs to report the following bill with certain amendments:

Bill Pr32, An Act respecting the City of Mississauga.

Report adopted.

## ONTARIO ADVISORY COUNCIL ON THE PHYSICALLY HANDICAPPED

**Hon. Mrs. Birch** presented the fifth annual report of the Ontario Advisory Council on the Physically Handicapped.

**Mr. Speaker:** Motions. May I repeat: motions.

Introduction of bills. The Minister of Community and Social Services.

I understand there is a motion. I asked three times very specifically if there were any motions. We cannot revert to motions unless we have unanimous consent. I think everybody in this assembly has a responsibility to pay attention to what is going on.

Do we have unanimous consent to revert to motions?

Agreed.

## MOTION

**Hon. Mr. Wells:** Mr. Speaker, you are quite right; we all should listen carefully.

**Hon. Mr. Wells** moved that Mr. Sterling be substituted for Mr. MacBeth on the select committee on company law.

Motion agreed to.

3:40 p.m.

## INTRODUCTION OF BILLS

### CHILD WELFARE VALIDATION OF ADOPTION ORDERS ACT

**Hon. Mr. Norton** moved first reading of Bill 171, An Act to provide for the Validation of Certain Adoption Orders made under the Child Welfare Act, 1978.

Motion agreed to.

**Hon. Mr. Norton:** Mr. Speaker, the purpose of this bill is to remove some uncertainty that has been caused by a recent Ontario Court of Appeal decision concerning the validity of some 200 adoption orders made in county and district courts since June 17, 1979, the date at which the amendments to the Child Welfare Act came into force.

The courts proceeded to deal with cases of which they had been seized previously. The recent decision of the Court of Appeal has raised some question with respect to the validity of those orders.

The effect of the bill, if passed, will be to validate those orders so that the families and children who have already been through hearings before the courts would not be required to go back for validation periods.

## MUNICIPAL AFFAIRS AMENDMENT ACT

Hon. Mr. Wells moved first reading of Bill 172, An Act to amend the Municipal Affairs Act.

Motion agreed to.

Hon. Mr. Wells: Mr. Speaker, this bill seeks to amend one aspect of the tax arrears procedure in the Municipal Affairs Act. The proposed amendment would give the ministry discretion to approve a conveyance of the land to the person who pays the taxes or to order the registration of a redemption certificate which would give the person paying the taxes a further lien on the land without jeopardizing the other interested parties.

## BOROUGH OF ETOBICOKE ACT

Mr. Leluk moved first reading of Bill Pr38, An Act respecting the Borough of Etobicoke.

Motion agreed to.

## CITY OF NORTH YORK ACT

Mr. Williams moved first reading of Bill Pr37, An Act respecting the City of North York.

Motion agreed to.

## THEATRE PASSE MURAILLE ACT

Mr. McClellan moved first reading of Bill Pr34, An Act to revive Theatre Passe Muraille.

Motion agreed to.

## CITY OF OTTAWA ACT

Mr. Roy moved first reading of Bill Pr39, An Act respecting the City of Ottawa.

Motion agreed to.

## ORDERS OF THE DAY

## PRIVATE MEMBERS' PUBLIC BUSINESS

HOME SUPPORT SERVICES  
FOR SENIOR CITIZENS

Mr. McCaffrey moved resolution 36:

That this House urge the government of Ontario, through the Ministry of Community and Social Services, to take further steps as a matter of priority to ensure that senior citizens have access throughout the province to home support services.

Mr. Speaker: The honourable member has up to 20 minutes. If he wishes to reserve any time for a windup he can notify the table officers.

Mr. McCaffrey: Thank you, Mr. Speaker. I think 15 minutes or so at this stage would suffice. I would like something in the order of five minutes at the conclusion of the discussion.

I would like to take just a moment to explain what is meant by home support services, not to educate those who will be participating in this debate, because I am sure they are familiar with it, but others of our colleagues in this assembly who may not be aware of the range of services under this title and others who might take the time to read the discussion in Hansard.

When I use the term "home support services," I am talking about personal care types of services such as dressing, bathing, shopping, meal planning, laundry, Meals on Wheels, home maintenance, security checks, telephone reassurance, day care for seniors and home care services of that type. There is a much longer list, of course, all of them collectively having in common that they are services designed to assist people 65 and over to continue living in their own homes and in their own communities. That is what makes home support services desirable and, in my judgement, that is what makes this discussion this afternoon of critical importance.

Frankly, it is my hope that this resolution will pass. I cannot for the life of me conceive of a set of circumstances where anybody would vote against it.

What I am really hoping comes out of this discussion is that we get a fair exchange of some ideas. I would be so bold as to suggest that there are a couple of innovative and potentially important ideas that I would like to have the members of the assembly think about and maybe respond to when they discuss it later on.

To put this whole question of home support services, the type of services and the market for these services in some kind of context I would like to try to define who now utilizes the services available and what the potential market is for the services that we will be discussing. I do not like that word "market," but it will have to do for the moment.

The best information I could pull together indicates to me that approximately 80,000 senior citizens in Ontario are now receiving some form of home support services. I am told by professionals in the field, through their own experience and their own research, that in other jurisdictions 15 per cent of the people 65 and over normally utilize or require some form of home support care. If we take that as a working number just to make a few points this



afternoon, it would seem to me there are a goodly number, 40,000 to 50,000 people in Ontario alone, who might well be in need of these home support services and are not now utilizing them. The thrust of my concern is that I feel all or most of these people are not aware of the services available, who delivers those services, and how they can get access to those services.

3:50 p.m.

I do not want to get hung up in statistics as everybody has different statistics as to how many seniors are out there and how many actually need the programs. If we assume the commonly accepted number that there are 840,000 retired citizens in the province and take 15 per cent of that number, 126,000, then if my information is correct that 80,000 are now receiving some form or help, it suggests that 40,000 to 50,000 might well be in need. For the purpose of this discussion, those 40,000 or 50,000 are the market or group I am concerned about.

If these statistics will suffice for working purposes, I think there is another more important message there for us. It is not the thrust of my resolution, but I want to take a minute to make my point. Approximately 85 per cent of people 65 and over in this province and in other jurisdictions are not likely in need of home support services now and may well never be in such need. In Ontario alone, something in the order of 700,000 senior citizens are not in need of home support services.

I urge my colleagues to bear this in mind because, having been in this assembly some three and a half years, I have been distressed about the tendency for myself and all of us in politics to look at someone 65 and over as someone who is automatically in need of financial assistance. There is a tendency to think after one has celebrated one's 65th birthday one is then quickly approaching a point where one becomes the responsibility of the state and that people in this age category are unwilling or unable somehow to provide for themselves when the truth is very different.

The vast majority of senior citizens in Ontario today, and I know in the future, are able and determined to continue to lead their own lives, unencumbered by bureaucrats and nosy politicians. Bearing this in mind as we get into the details of this discussion. I am convinced we will not need additional universal "free" programs for senior citizens. Does it need to be said again that people 65 and over are for the

most part taxpayers? I think it is important to bear that in mind.

That is not the thrust of this resolution. I want to get back to that group that could utilize home support services and are not now being reached or do not have access to the programs available. I believe they are out there. Is it because of a lack of programs or the absence of legislation?

Let me refer to some existing legislation and present programs within the Ministry of Community and Social Services, legislation currently on the books. The ministry now provides home support services under a number of programs and acts. I will just mention some: the Homemakers and Nurses Services Act, the Elderly Persons Centres Act, the Vocational Rehabilitation Services Act, the Child Welfare Act, the Day Nurseries Act, the Homes for Retarded Persons Act, the Developmental Services Act, the Homes for the Aged Act, the Charitable Institutions Act, the Ministry of Community and Social Services Act, and one could go on.

It seems to me there would be ample evidence to suggest there are adequate programs and adequate legislation in place now to meet that group I perceive to be in need out there. I do not think the automatic response to create new legislation would be adequate. Not only is there a host of programs, as I have just outlined, within that ministry, but also there are similar programs in other ministries and many varied programs in the private sector designed to meet the needs of separate target groups. However, these initiatives, individually and collectively, have tended to create some problems. We find different definitions of home support services utilized sometimes within the same ministry. We find different criteria for eligibility, different funding models and different user charges.

To get to the key of my concern at this stage, in spite of the network of programs, services and legislation, there are still older people in the province who do not have access to the services they need, who are isolated in their communities, who may only need a little help and a little social contact to lead more comfortable and meaningful lives.

If members will bear with me for the moment and allow that to be the thrust of my immediate concern, how then can the government, without just creating additional programs and legislation, better reach that market, better provide access to those I think we would all agree are in need?

In the first instance I would like to suggest that we start right here within the government. I would suggest that immediate steps be taken to address the confusion which, I will be honest, exists often in my mind and certainly in the minds of the public because of the multiple funding arrangements under many acts and different ministries.

I would like to refer to an article written by Lotta Dempsey in the *Star* on October 4, following a series I believe she did on the unfortunate tragedy surrounding Lillian Hess. "The Ontario government has been urged to create a Ministry of Ageing by the powerful Metro Summer Rendezvous for Seniors organization. A resolution passed unanimously at the annual meeting this week has gone to Premier William Davis" and the opposition leaders at Queen's Park. "The resolution seeks a Ministry of Ageing to draw together the tremendous number of senior organizations as well as volunteer organizations in several fields connected with elders; to provide a central source to which any elder in the province can turn for help; and by so doing, to lead the way to similar ministries in every province and, we hope, ultimately to an umbrella ministry in Ottawa."

I think that puts one of my concerns succinctly and clearly.

The article goes on: "While the government of Ontario is commended on the benefits and services it currently provides for seniors, it is noted that often both these and volunteer efforts are dispersed and fragmented. Thus it is often very difficult for an aging person in need of assistance to locate it."

Most of the people who responded to the earlier series of articles on Lillian Hess supported very much the general idea that there should be a central source of information and help and that one central toll-free telephone number should be available to all people in the province to get direction and help.

I am not hung up on the creation of another ministry called the Ministry of Ageing or anything even analogous to that. The title does not concern me. I feel very strongly, though, that there should be some sort of clear focal point within the government where these various services and agencies and programs can be brought together.

If I may, I would like some of the others who will be speaking here this afternoon perhaps to respond to this. I would suggest

something like a Senior Secretariat. I just call it that for lack of a better word and obviously because I see it as somewhat analogous to the Youth Secretariat, which was in place before I was elected here.

I see such a secretariat, an umbrella, a working group, as a place where there is a focal point for information and as a place where research can, if not be done, at least be collected and further studied. I will be honest, one of the things that comes to mind is the type of pension research and information that increasingly is going to be coming down the pipe. We are going to be seeing soon, one hopes, the report of the Royal Commission on the Status of Pensions in Ontario. There will be people of a variety of ages who will want information on that, and I can see in the present situation where they would rightly call the Ministry of Consumer and Commercial Relations, the Ministry of Treasury and Economics and a host of other ministries to get such information. One focal point, one umbrella, one secretariat, one collection of people, easily identifiable within the government and easily identifiable by people in this assembly for starters, would go a long way to do that.

The second point, as to how we might improve the access to services now available to seniors in Ontario, takes me out to the community and away from Queen's Park and away from the government. Something that has been sort of a pet concern of mine for some time deals with the alternative use of neighbourhood schools. Clearly, without going into any of the detail that is available on this, we are realizing in this province today the joint phenomenon of a decline in the student age population and, parallel to that, a rapid increase in the number of people reaching the age of 65. I do believe that we have an opportunity here to try to speak to these two parallel trends.

As the client group within the school-age population changes, and less and less it is the 9 a.m. to 3:30 p.m. school-aged child, we are going to be faced with neighbourhood schools where there will be space within that building. It may start with one or two classrooms. There are increasing numbers of incidents where there is a whole school available. Is there some way that these community centres—just to use that in lieu of schools—might be intelligently, economically and effectively utilized to pull together, at the community level, the host of services now available for people 65 and over?

4 p.m.



I am one of those people, and there are many of them in this assembly, who often use the expression "user-pay" when we talk about government programs. I would like to turn that around and introduce the expression "payer-use" in the context of these neighbourhood schools. People who, through property and other taxes, have contributed to the building, maintenance and use of these neighbourhood schools, should be given an opportunity in their later years to use them in a way that is meaningful for them, and that would introduce a whole host of services now that could be distributed through these community centres.

We had a debate in here—I think it was last Thursday—on a resolution dealing with free dental work for senior citizens, and that resolution was supported in this assembly. I remember that the member for Essex North (Mr. Ruston), whose resolution it was, suggested there might be ways of getting some of the dental professionals out to senior citizens' homes and so on. The same thing could be done in the context of these neighbourhood schools. There could be free visiting dental clinics available to the people within that neighbourhood, a neighbourhood that has changed in terms of the age makeup. One does not have to get statistics or do any real research on that; all one has to do is to canvass older neighbourhoods throughout the whole of Ontario, where the school-age population is declining, and one will find that although there is still a full neighbourhood, there is an active community increasingly populated with retired people.

To sum up, I would like to suggest that the government immediately clarify the programs and services within the government and give some serious thought to how these community schools might be utilized in this way. It should be done correctly and, to me, that means to do it clearly. I am convinced, and I think others would be, that it would be an economical program and would be in the best interests of people in need now.

Clearly we are going to have to define what services are absolutely essential and try to reduce that list of programs available, under the list I referred to earlier, and continue to find out which ones can logically be funded at the government level. That would make it easier for the volunteer sector to find out what its role is.

I have a few minutes that I would like to use to respond, but at this stage I think the onus is in two parts: first, at Queen's Park, to clarify the situation here and, secondly to try to use at the community level existing

paid-for community centres, the former elementary schools, to help deliver these services.

**The Deputy Speaker:** The honourable member has three minutes remaining.

**Mr. Blundy:** Mr. Speaker, I am very happy to join in the debate on this resolution today, and I want to compliment the member for having introduced it. I believe the member was driven in frustration to introduce this resolution, because the government he supports has been so lax and so poor in setting up home support services or community support services in most areas of Ontario.

I have to admit that there has been some work done in this field, of course, and there are some areas, primarily through the use of volunteers in their communities, that have provided some support services, but I believe a large percentage of senior citizens in Ontario are crying out for aid to enable them to stay in their homes. They do not want to go to an institution, but they are being forced to. Then, of course, on the other hand, the government is not providing any more beds in institutions. Over the last three years the number of homes for the aged beds has declined to the point where there are now 54 fewer beds than there were in 1977. I have a copy of the Ontario Advisory Council on Senior Citizens' guide to community support services. This guide details the needs that are required to keep seniors in their homes and not be candidates for some institution.

First of all, there are living arrangements that must be considered and support that has to be given where possible, for those living arrangements to be continued. Then, if there are senior citizens in their own homes, they need services such as visiting health people, Meals on Wheels and inexpensive repairs to their homes so that they can stay there.

We talked earlier today about 143,000 youths being unemployed in Ontario. I would like to see a massive program for employing these young people to put on the storm windows when necessary, take them off when necessary, put on screens, fix the back steps that are falling off so the elderly people will not fall when coming out of their homes. There are all kinds of things that can be done, but this government has shown no imagination and very little initiative in doing it.

I would like to refer to a speech by the Deputy Minister of Community and Social Services on November 6, 1979, to a group of senior citizens. He made a couple of com-

ments that I think we ought to look at when we are debating this resolution. I will read this comment: "First, it is essential that we help preserve personal independence rather than creating dependence and recipients of services." We all subscribe to that philosophy and we want to see these people not dependent but independent with aids that can be provided in the community.

Further on in this talk of November 1979, the deputy minister said: "While there is agreement that home support services should be funded independently, the most appropriate legislative mechanism has yet to be determined by this ministry." Back then they did not know what they were going to do or how they were going to do it, but surely, with the resources that are available, there should be ways and means of keeping the elderly in their own homes.

I believe we ought to do so just because we want them in their homes. However, there are other reasons. In the report of the interministerial committee on residential services, when it was speaking about various levels of care for seniors and it got down to homes for the aged, the report said: "The long waiting list for admission is related to some extent to a severe shortage of support services for seniors living in the community."

The interministerial committee is agreeing with what I am saying. I believe, if you go out and speak to the individual senior citizens, they do not want to give up their homes. They want to be independent, they want to have their own familiar surroundings, and to do this, support services of which the previous speaker has spoken and of which I am speaking are required.

It is not enough for us merely to have added new years to life. While that is commendable, our objective should be to add new life to these years that have been given, and I believe we can do this best by being able to have a firm policy and a good understanding of the need. I submit to you, Mr. Speaker, that the present government does not have that understanding yet.

4:10 p.m.

The member for Armourdale (Mr. McCaffrey) mentioned the confusion in the minds of the senior citizens of the province about where they go to get any assistance—even the simplest things that might pop to mind. Where do they get it? There is nothing available in my community that is going to provide them with the answer. However, the city of Sarnia, under the auspices of the Marshall Gowland Manor, is now applying

for a community service project grant from the federal government which will provide each person over 65 with a detail of services available to them. That is going to help.

The member for Armourdale mentioned that maybe we should have another ministry, a Ministry of Ageing. I say, Lord preserve us from it. We already have too many ministries. We have the Ministry of Health, we have the Ministry of Community and Social Services and then we have, as my friend the member for Essex North says, the Provincial Secretariat for Social Development. As far as I know, they do nothing; so let's not have another ministry.

I suggest it would be much more reliable and much more positive to have the Ministry of Health and the Ministry of Community and Social Services sit down together and let them say, "Okay, you be the one responsible for home support services in the community." How simple that is. But it is just too simple for this government to do that. There would not have to be all this indecision, these problems about which ministry is going to do what. We do not need to appoint another ministry. We should designate one of the existing ministries. As a matter of fact, we could do away with one of them already and designate one of the two that are left.

I am very very happy to support the concept that has been talked about by the member for Armourdale. But I also want the people of Ontario to know that the government has been talking about home support services for six years—I can go that far back in the papers I have—and has produced very little. What we need now is action, and I believe we should designate one ministry to be responsible for it. We must allocate funds for it. Those funds will be repaid to us by not having to fund the various institutions—hospitals, chronic care, homes for the aged, nursing homes, rest homes et cetera. That will be money in the bank if we do something now for the senior citizens of Ontario.

In summing up, and it will be a very short summation, I just hope these three ministries will listen to some of the debate today.

**Mr. McClellan:** Mr. Speaker, it is hard for the ministers to listen to the debate when they do not even take the time to attend in the House.

I welcome the opportunity to participate in debating the member for Armourdale's resolution, because it gives me an opportunity to support the resolution and to beat the government once again about the head and ears. I am sure they deserve it on this issue of all issues.



The resolution talks about the government taking further steps as a matter of priority. I want to deal with just what a low level of priority home support services have had from this government over the last few years of social service and health cutbacks. Before I do that, let's put the question of home support services into its proper context.

I refer, as the member for Sarnia did, to Mr. Carman's speech of November 6, where he says: "We should be talking more of a continuum of care in the future, rather than community alternatives to institutional care." That is absolutely correct, because it makes sense. But it is also correct because of the kinds of cutbacks that this government has perpetrated over the last five years in the areas of residential care.

There is a story in today's Toronto Star that says 2,000 elderly people are in the wrong beds. Twenty-eight per cent of the people in chronic care beds could very easily be accommodated in homes for the aged, either charitable homes or municipal homes for the aged.

What has this government done with respect to charitable homes for the aged and residential homes for the aged? They have cut 202 beds from those programs in the last three years. Between 1977-78 and 1980-81 there are 202 fewer beds. Congratulations! What an admirable achievement!

This year, according to the estimates of the Ministry of Community and Social Services, the government is contemplating the addition of 136 beds to the homes for the aged program. Congratulations. That leaves the government a net shortfall over the past three years of almost 70 beds. We read there are at least 2,000 people in Metro alone who need this kind of care.

Let's not kid ourselves: When this government talks about home support services it is putting up a smokescreen to cover the fact that it has been chopping and chopping ruthlessly at the institutional care program over the last three to five years. There has been an absolute freeze on residential care in Ontario since 1975—the member for St. George (Mrs. Campbell) will know; 1975 or 1976.

Now we are in the position where in Metropolitan Toronto there are huge waiting lists for our municipal homes for the aged. In other parts of Ontario it is almost impossible to get a bed in a home for the aged. What are these people supposed to do? And the government talks about home support services.

I fully expect that when the election comes the government will trot out some grand

rhetorical package talking about their new commitment to home support services. But let me tell the government, or any member of the government who chooses to read this debate, that it will be reminded of the atrocity of the kinds of cutbacks that have been perpetrated in Ontario over the last five years that have caused so much harm and so much suffering. They won't get away with it.

The kind of smokescreen that may be raised about a new program of home support services will be shown to be a smokescreen unless it is matched by a restoration—not just a restoration but a major increase—in the number of publicly funded homes for the aged beds, nursing home beds and municipal homes for the aged beds in this province. Until we deal with that act of irresponsibility we can't begin to talk sensibly about a continuum of care services.

Let's talk about home support services, because that's what the resolution deals with. Of all the remarks in the speech by the member for Armourdale, I don't think he dealt very specifically with the need for a legislative framework, with the need for a statute in Ontario that would provide for the orderly funding of home support services.

We all know what kinds of services are needed. We do not have to run through the list again. I have made at least 50 speeches since 1975 on the need for home support services. The member for St. George has made an equal number. Members on both sides of the opposition have spoken at length.

We know what we need to do in this province. The problem is very simple: there is no legislation. What is the government doing? Stalling, and stalling, and stalling. They have been stalling since 1976. Now we have, according to the Ministry of Community and Social Services, a new round of consultation on the previous two consultation processes.

**Mrs. Campbell:** Study, study.

**Mr. McClellan:** Study, study, study. I think Mr. Carman, in the conclusion of his speech, promised an internal review, a dialogue with communities, a discussion with organizations and a dialogue with other ministries. Is there no end to the amount of talking that this ministry and this government is prepared to do about the issue? Apparently not.

Let us look at the question of priorities. Elderly persons' centres have had a freeze imposed on them of \$15,000 for at least four years. Last year—another marvellous achievement of the government—the Ministry of Community and Social Services budgeted \$3.7 million for elderly persons' centres and spent

only \$1.8 million, for a grand saving to the Treasury of \$1.9 million at the expense of programming within the elderly persons' centres of this province.

4:20 p.m.

Let us look at the priorities. The Ontario Housing Corporation was running a support services program out of three settlement houses in this city. It was a tremendously successful program. It was keeping a couple of hundred senior citizens in their apartments. That program was killed last year by OHC. So much for priorities.

We know what the situation is with Meals on Wheels. In some communities elderly people in their 80s have to wait up to six months before Meals on Wheels are available. In some communities Meals on Wheels closed down over the summer. In some communities they are available one or two days a week. Are elderly people supposed to eat only one or two days a week? Apparently that is what this government thinks.

Home health services and home support services are virtually nonexistent, unless people can afford to hire a maid from one of the maid services. Visiting homemakers' services is another great accomplishment on the part of this government. Last year the ministry budgeted \$8.7 million for homemakers and nursing services; they managed to spend \$6.2 million, for a net saving of \$2.6 million at the expense of people who needed visiting homemakers and nursing services. Congratulations. That is further evidence of the government's commitment to home support services in this province. That is a total of \$4 million that they managed to squeeze out of senior citizens last year alone. What a tremendous accomplishment. What a great sense of priorities.

Let us look at the situation in private nursing homes. That pile of eggs is just about to hit the fan, as I suspect most members of this cabinet know. Are they aware that in many private nursing homes there is virtually no staff unless the elderly are wealthy enough to purchase their own nursing services from private nursing agencies? This is the direction in which this government is obviously heading.

The freeze on publicly supported municipal homes for the aged has been absolute. In the coming year the Ministry of Community and Social Services is planning to add a total of 136 charitable homes for the aged beds. Do members know how many municipal homes for the aged beds are going to be added? Zero. Not a single bed,

not a single solitary bed in the entire province. It is disgusting and it is a disgrace. This government deserves to be and stands condemned for its attitude towards services to the senior citizens of this province.

Finally, senior citizens in Ontario who depend on the guaranteed annual income systems, if they are single, are still living in poverty. They are still receiving a level of assistance below the poverty line, and the government says it has a commitment to serve the needs of senior citizens in this province.

I congratulate the member for Armourdale (Mr. McCaffrey) for introducing the legislation. I do not have the slightest doubt it will not make the slightest dent on this stubborn and impervious government. They have proven their record over the last five years, and their record condemns them.

Mr. Watson: Mr. Speaker, I stand to support my colleague who has raised a number of concerns regarding the current system of home support services in this province. Unlike the members opposite, I happen to think there are a lot of senior citizens out there who think this province and this government have done an awful lot for them.

But there are others who should be considered in this than those in the type of home support services he mentioned. I do not think it should be limited particularly to senior citizens. We have people like the physically disabled, families with children who have special needs, and we want to ensure they are included in any home support services we might come up with.

The matter of co-ordination of services is a grave concern to the government. Steps are being taken to ensure that existing programs are co-ordinated, and that policies and programs of the various ministries involved are complementary.

The government is currently spending more than \$2 billion a year for programs for the elderly in this province. It is our intent that, as the population of seniors grows, this already large and diversified system will be capable of expanding in an efficient and rational way to meet the increased needs of these services.

Reference has been made to the programs of other ministries. I would like to discuss some of the implications of these to this resolution, particularly in the Ministry of Community and Social Services but in some of the other ministries as well. The Ministry



of Revenue, for instance, through the guaranteed annual income system, Gains, supplements federal old age security to ensure that all seniors in Ontario have a guaranteed basic level of income support. Ontario tax grants add up to another \$550 to this basic level. These are a very effective way to assist our senior citizens to maintain their own homes. Some people seem to think we should move all our senior citizens into institutions. I would like to point out that some of these programs are already designed to try to help people stay in their homes for a longer time.

The Ministry of Health has a wide array of programs of particular benefit to seniors. In addition to residential programs for acute and chronic hospital care patients and extended care nursing homes, they provide free coverage under the Ontario health insurance plan for those over 65, the drug benefit program, home care for those recovering from acute illness and, more recently, chronic home care which will be available across the province by the end of the fiscal year 1981-82.

The Ministry of Housing provides senior citizen apartments and the home renewal program to enable home owners to repair and rehabilitate their homes. This program has been widely used by senior citizens. The Ministry of Culture and Recreation provides capital grants for the building of social and recreation facilities, such as senior citizen centres.

Within the Ministry of Community and Social Services, programs that come to mind are most of the programs my colleague has mentioned. Funding for the municipal and charitable homes for the aged is within that ministry. The ministry recently appointed a task force on home support services which is working with an advisory committee of people from the community who are knowledgeable about the service needs of the elderly and other groups to develop options for a new act that will facilitate provision of home support services across the province.

The task force is preparing a consultation paper, which the ministry expects to circulate for community comment and input later this year. Following this, the ministry intends to prepare legislation on home support services which will be presented in this Legislature in 1981. As part of this process, the ministry will be reviewing its current policy and programs to determine the direction they should go in the future. A number of programs are involved.

For many years the ministry has shared with municipalities the cost of providing homemakers and nurses services to the elderly living in a community. As the Ministry of Health's chronic home care program is implemented across the province, it is expected, based on our experience in the communities where this program is now in place, that many older people formerly served by the homemakers and nurses program who require medical service will be eligible for this new program. However, there are many who are physically well, but somewhat frail, who will continue to require the services administered by the Ministry of Community and Social Services.

During 1979-80 there were 143 municipalities, unorganized territories and Indian bands that participated in this program at a provincial cost of more than \$6.2 million. This year expenditures are expected to be in the area of \$9 million, which is not exactly a cutback.

Another program of this ministry, home support for the elderly, provides financial support for projects developed by volunteer groups in the community organizations that reach out to older people living in their own homes with services, such as Meals on Wheels, day care for the physically frail or mentally confused, family visiting, house-keeping, home maintenance, transportation and many other kinds of assistance that they need.

Elderly persons' centres have been subsidized by the Ministry of Community and Social Services for nearly two decades. In recent years many of these centres have reached out to their numbers who had been homebound and unable to participate in the social and recreational programs at the centres. These outreach services are now receiving separate funding under the previously described program, home support for the elderly. At present, 97 elderly person centres are being funded by the ministry, and a number of new applications are being processed. It is estimated that more than \$1.8 million will be spent by the province this year on centres across the province. At least two thirds of these centres are providing outreach services to the homebound elderly.

4:30 p.m.

Another program of a home support nature the ministry provides is the municipal home support for the elderly program, which subsidizes municipalities to provide home maintenance services to seniors. The senior volunteers is a service program in which the

ministry provides training and covers expenses for a group of older volunteers who become advocates for the elderly in our communities and who identify and seek to develop services to meet their needs. There is the ministry's basic income support program of general welfare assistance and family benefits which will provide financial assistance to the needy who are not eligible for help under the other programs.

I should note that the community groups are reaching out to provide services to the elderly not only in their own homes but also in the municipal and charitable homes for the aged. During the last quarter of 1979, 12 homes were running drop-in centres, 28 had day-care programs for elderly people who are physically or mentally frail and 70 were providing one or more types of meal services for nonresidents. All of the programs I have touched on briefly indicate that for many years now the government has been moving in the direction of providing financial support and services to enable the elderly to remain in the community for as long as their health and their strength permit.

Home support services should strengthen the role of their families, neighbours and friends to enable them to continue their sometimes burdensome responsibilities. They should not replace these loving, caring sources of assistance. We should encourage peer helping. Home support services for older people should be encouraged to help each other. Many people are searching for a meaningful role in retirement and can fill a much-needed and very worthwhile role in a community through service to others. Many senior citizens are lonely; so home support services should provide some social interaction and some means of communicating with others for those who are isolated because of physical frailty. Services should be co-ordinated both at the provincial level and the local level to ensure that our elders get a range of services needed to make the best use of our scarce resources.

Where it is practical, home support services should serve all needy groups, not just the elderly but also, as I mentioned, the physically handicapped and families with children. Where it is appropriate, there should be a charge for the service. Many older people can afford to pay for the services they receive and they want to pay for them. They do not want a welfare handout. But the charges should be appropriate to the type of service and income of the user. There should be no charge for those who cannot afford to pay. Whatever the charging policy, we should

ensure that it does not prevent access to the service.

The basic concept should be a continuum of care; that is, services should range from services like friendly visiting provided by volunteers to more extensive and frequent services, but not including a level of care that could be provided by institutions. I am not suggesting we should attempt to provide in the community the kind of 24-hour-a-day, all-encompassing service that an institution provides. This would be impossible and expensive.

I want to summarize by saying I do support this resolution. The government is doing a lot now. We know there is more that can be done and we are doing what we think is right for the senior citizens of this province.

**Mrs. Campbell:** Mr. Speaker, I am delighted to enter into this debate, and I commend the member for Armourdale for bringing the matter forward. There are two reasons that make me want to participate. One is the exhibition this afternoon by the Provincial Secretary for Social Development (Mrs. Birch), who talked about the great amount of home support care in the province. I hope that if she does not read anything else—and she never does read anything in my experience—she will read the report of this debate. Secondly, I am delighted that the member has defined for this House what he means by home support care, because there has been a great deal of misunderstanding about what the term means.

The member for Bellwoods (Mr. McClellan) referred to a program that involved several settlement houses. One of those was in my riding. The Ontario Housing Corporation had started the program; it had worked well but then they stopped the program. Obviously we had to get together to try to find other sources of funding, and we did obtain funding through the local board of health at the city of Toronto. But one of the things which bothered me was that the Minister of Health gave his permission for that financial output by the city in very tentative terms. He made it clear that he was not assuring that he would continue this support of the local board of health for future years.

I wonder if I could draw you a picture of some of the scenes in my riding. I was in the apartment of one elderly lady. She was confined to bed at the time I was there. She did have a VON but, while I was there, her Meals on Wheels arrived. I will tell you I was embarrassed to see this poor soul cutting up this meal into two parts, so she could



have one half that day and one half the next day because they did not provide Meals on Wheels that second day.

I am very grateful to all those volunteers who serve in this area but, as the member for Bellwoods has stated, it is surely not enough for us to stand proudly, as some do in this House, talking about that program when we know that in the summertime meals are not served in many parts of the city. Secondly, in my area they are not served on the weekends; so elderly people in their apartments, people who cannot get out, have a meal which they divide in two, and they eat this food which is unappetizing on the second day because they are eating it cold to make it spread out. That is one part. That is a true story from my riding.

4:40 p.m.

In another case, I had a woman talk to me. She was in tears; her husband had just died. She was moved into a home for the aged, and she said: "I have nothing left. I really had hoped I could stay in my apartment until I died. I don't need much help. I can get my own meals. I find cleaning difficult." The homemaker services were not sufficient for her purposes; so she was moved from an apartment into a home for the aged. Now, instead of being in her own apartment, she shares her accommodation with three other elderly persons.

Surely people have earned something better than that. I had no answers for her. I could not get her the kind of support she needed, and it was so very little, but there was no-body available.

We have tried the volunteer system. This government puts a great deal of weight on the volunteer system. The volunteers are great, but they cannot keep it up day in and day out. They tried. In my riding, a group of young women went from one to another to try to help with some of these services and then they had to give it up because of personal reasons. I do not think we should ever have started it because once that service is removed, it is worse than it was before. There has to be some kind of stability built into the program.

We have heard about the charges and the fees that should be levied. It is true that most seniors do not want to feel that they are beholden to the community for services but, before we start talking about charging, could we perhaps just look at what it is they need.

We have heard all about the tax credit program. I know that the ones in my riding, living in apartments, have suffered under this program. They have not gained under the

program, and I think it is time somebody made that clear to the member for Chatham-Kent (Mr. Watson), because not everyone has benefited by that program.

We have heard about the people on the guaranteed annual income system. Thank God the government did adopt the program as submitted to this House by the member for Brant-Oxford-Norfolk (Mr. Nixon), then Leader of the Opposition, as formulated by the late and great member for Nipissing, Mr. R. S. Smith, but there is no progress in it and people are slipping behind again. There are a lot of people in the community who are not on Gains but who are elderly and they have needs. That may surprise members of this government: They have needs.

**The Acting Speaker (Mr. MacBeth):** The honourable member's time has expired.

**Mrs. Campbell:** Thank you, Mr. Speaker. My congratulations to the member for Armourdale.

**The Acting Speaker:** The member for Scarborough West for two minutes.

**Mr. R. F. Johnston:** Two minutes? My God. My maiden speech was just 45 seconds, as I recall. We won that vote, by the way. My apologies to those who helped me pull together my notes on this.

I also rise in support of the motion and congratulate the member for giving us a platform to hammer the government on. I know that the member for Armourdale is an honourable man who believes something should be done about this.

The reason I got involved in politics and I think I will just leave it at that, Mr. Speaker, was that I was convinced that governments in Ontario and in Canada treated the elderly in a patronizing fashion and had extended an attitude towards older people that permeates our society by which we have shoved them off into warehouses of death in the past. They are now presuming to veil that reality with the fact that we are providing home support services that are a sham and do not touch the reality of need in this province. The member for Bellwoods spoke to that.

I was happy today to actually hear at least three members speaking with some passion about this issue, because these people are not to be taken advantage of or presumed upon any longer. Their needs must be met and they will be met. The only way it is going to take place, because the minister promised me we would have an omnibus bill ready

before us this fall, is with a change in government. He promised me that last year when I came in. We are not going to have that bill; we are going to have some sort of window-dressing to go into an election with next spring. The only way we are going to get the kind of omnibus bill we need to decentralize community operations, to achieve the co-ordination of assessment and placement services and to get interministry teams working with volunteers and organizations in our community, is with a change in government.

It is going to take a change of government that actually takes these services to the elderly as seriously as they take other services in this province.

**Mr. McCaffrey:** Mr. Speaker, there are a lot of points that require response and they are not going to get it right now partly because of time and partly because selfishly I want to go back to one of my major hopes and concerns and alternative routes for the future.

The first speaker indicated that in part the member for Armourdale was driven to this resolution by frustration. I think that is correct. I want to just explain why I, as a private member, have been frustrated as have many people in my community. Again I say it is not because of the lack of legislation, program or services, but by the unbelievable list and the duplication that I, as a newer member, found when I tried to get a handle on some of the programs that were available.

The manager of our riding office in our own constituency, with the help of a senior citizens' adviser, prepared two single-spaced, typed sheets of programs through volunteer, private, municipal, Metro, provincial and federal groups where a variety of services of the home support type were available in our own municipality. Two single-spaced, typed pages!

On the one hand, I guess the first reaction of anybody looking at that was, "Isn't this terrific that it is there?" Quite frankly, the second and much stronger response from us was that it is just too much; there is just too much duplication. My current concern is that a person in need simply does not know where to start.

**Mr. McClellan:** Where is the legislation?

**Mr. McCaffrey:** The member for Bellwoods made reference, and he is doing it again, to the fact that no comment had been made by me for legislative framework or an omnibus bill. The point I am really trying to make is that, in the context of the present

operation, one new act would drive me bonkers. If the honourable member wants to use an omnibus bill, I am happy with it and that is one of the things I would like very much to see, and I tie it in, not to a ministry—

**Mr. McClellan:** They have been promising it to us since 1976.

**Mr. McCaffrey:** I do not tie this in to the establishment of a Ministry of Ageing, but I tried to use the idea of a Senior Secretariat, just to suggest something that one will not respond to automatically by saying it would be too expensive. I do not care what it is called, but within the government there should be this clear focal point.

The last point again, but my major point, is the alternative, intelligent use of these community schools—elementary, junior high, senior high—within Ontario which are faced now with, in some cases, this acute problem of declining student enrolment, when we find retired people in the same neighbourhood. I am just saying there is an opportunity here for us to utilize these schools and community centres which have been paid for, by and large. I am using that old cliché the other way around. The payer now has an opportunity to use them. It seems to me that is an intelligent depot for these services to be directed to those in need.

I mention just in passing, we could have visiting dental clinics, we could have visiting mental health clinics and we could have visiting general practitioners. We could have a host of things that would be economical, creative and intelligent, and that the government could do with those paid-for community schools.

**The Acting Speaker:** The time for debating this item has expired.

4:50 p.m.

## MUNICIPAL PLANNING

**Mr. Epp** moved resolution 31:

That, in the opinion of this House, the government should recognize the principles of "timely decision-making" endorsed by Ontario municipalities so that planning matters can be acted upon without undue delay, and further that the Ontario Municipal Board be required to hold hearings within 90 days of a referral and be required to render a decision within 30 days of that hearing.

**Mr. Epp:** Mr. Speaker, in addressing my resolution today I want to touch on two aspects. First, I wish to give a brief history



of the Ontario Municipal Board and, second, I wish to state why it is important for the OMB to expedite hearings within 90 days of application and render a decision within 30 days of termination of that hearing. I hope this resolution will gain the support of all members of this House.

The history of the Ontario Municipal Board is the history of powers and jurisdiction acquired over a considerable period of time and in response to changing circumstances in the province. Thus, the functions of the board vary from one period in its history to another.

The Ontario Railway and Municipal Board, the predecessor of the Ontario Municipal Board, was constituted in 1906 to assume a variety of supervisory powers over the activities of local authorities vested until that time in the Lieutenant Governor in Council. These activities included such matters as annexation, the altering of municipal boundaries, approval of bylaws relating to finance and construction, assessment appeals and the administration and supervision of municipal street railways.

In 1908, the Municipal Securities Act gave the board power to approve the issuance of municipal debentures, and in the same year the Ontario Telephone Act gave the board the power to make rules for the regulation and operation of municipal telephone systems.

According to L. C. Holman of Queen's University: "From 1906 to 1930 the work of the Ontario Railway and Municipal Board increased rapidly. In 1907, 57 applications were heard, whereas in 1930 [a span of 23 years], the board dealt with about 809 applications."

In 1932, the Ontario Municipal Board Act replaced the old statute as the board was given more control over municipal financing to deal with the increase in municipal bankruptcies resulting from the Depression.

During the 1930s the work of the Ontario Municipal Board increased substantially and has been increasing since that time. The select committee on the Ontario Municipal Board, chaired by the member for Humber (Mr. MacBeth), reported in 1972 that the board functioned in four main areas: planning, capital expenditure, assessment appeals and municipal organization. In 1972, 85 per cent of hearing time was spent on planning and 50 per cent of administrative time was spent on it.

In 1978, according to the seventy-third annual report of the OMB, the board dealt with 9,344 applications and appeals and issued a

total of 8,423 orders. The board received, among others, 3,569 applications for approval of restricted areas, for example, zoning bylaws, 112 appeals for amendments of restricted area bylaws—these were according to subsection 35(22) of the Planning Act—and about 213 applications for approval of proposed plans of subdivision and condominiums.

Parts III and IV of the Ontario Municipal Board Act set out the general jurisdiction and powers of the board. The statute also governs the procedure of the board regarding application hearings and the issuing of orders. Where express provision has not been made, section 90 allows the board to make general rules regulating practice and procedures. In addition, however, the board also has the power given it by other acts such as the Municipal Act and the Assessment Act.

As far as the role of the board in planning functions is concerned, the Planning Act, first enacted in 1946, gives the board numerous approval and appellate powers. Among the more significant ones are the approval of official plans and official plan amendments, review of the conditions of subdivision approval, approval of zoning bylaws and approval of bylaws repealing or amending zoning bylaws, review of matters relating to section 35a, site plan bylaws, review of decisions of committees of adjustment and land division committees on minor variances and consents to sever.

Finally, it is interesting to note that Alberta has a planning board with a wide range of responsibilities, from co-ordinating the operations of the regional planning commissions to recommending land-use policies to the cabinet. Moreover, it is the subdivision appeal body under the Planning Act of 1977. Alberta's Local Authorities Board, created by the Local Authorities Board Acts, rules on applications for annexation of lands to municipalities, authorizes debenture borrowing and authorizes the use of surplus debenture funds, among other things.

Whatever the problems may have been in years past, the opinion now being expressed is that the situation has improved recently with respect to the timing of applications and hearings. Several reasons may be cited for this improvement. For one thing, since September 1, 1979, it is no longer necessary to take zoning bylaws to which no objections are raised to the Ontario Municipal Board for approval. Rather, they can now be dealt with at the local level. Some municipalities may be taking advantage of this route under

section 35(25) of the Planning Act, although it is the case that others, particularly rural ones, do still submit to the board for approval.

Secondly, a recent increase in fees applying to all applications before the Board has had an impact, particularly as regards land division committees and committees of adjustment. As a result of this fee increase, the number of appeals to the board has declined.

Finally, the board is holding joint hearings and considering a subdivision, an official plan and zoning, for example, rather than holding three separate hearings.

Irrespective of the fact that some municipalities may feel there has been a speeding up of the process, the feeling is not shared by many municipalities across the province.

After submitting my resolution last June, I circulated a copy of it to all municipalities in Ontario, small and large, urban and rural, regional and nonregionalized. With a copy of my resolution I sent a letter briefly outlining the purpose of my resolution. It is interesting to note that I received about 100 replies to the 835 letters I sent out, more than a 10 per cent response, endorsing my particular resolution. I might point out that no reply was requested; so I was quite heartened by the fact that the councils took time to discuss my particular resolution and support it.

Let me read only a few of those approximately 100 letters I received in support of my resolution. The first one is from a non-regional, medium-sized city: "Certainly the sympathy of all municipal councils is with you as you attempt to improve the unacceptable situation as it exists today with regard to the OMB hearings on zoning bylaws, official plan amendments and other development proposals which must go before them. In reviewing legislation for the new Planning Act, this point was one of the main issues raised by the Association of Municipalities of Ontario on behalf of many municipalities which had indicated their frustration with the current system of waiting months, and even years, for hearings and subsequent decisions."

5 p.m.

From a small, regionalized municipality: "Our whole system of approvals in Ontario has become so cumbersome and complicated that legitimate developers resign themselves to years of battling the system in order to bring about approvals for subdivisions and other proposals, a process which is apparently accomplished in a fraction of the time in the USA. This has led to the sad situation in

which many companies and individuals have decided to channel their capital and their efforts outside of the country, especially sad in view of the prevailing economic conditions in Canada. The delay, typical of our whole system, results in heavy temporary borrowing costs, the extraordinary costs in engaging professional expertise required to steer applications through the approvals system. These costs are passed on to the end user and are a significant factor in creating the housing shortages experienced in the past and the lot prices and housing costs which are the case today."

From a small, rural, nonrecognized municipality: "Our council certainly is in favour of speeding up referrals and decisions made by the Ontario Municipal Board. We have had occasion to deal with the Ontario Municipal Board and can certainly confirm some of the delays are unusual."

From a small, rural, regionalized municipality: "My municipality has been witness to delays anywhere from eight months to 18 months. My experience in this municipality as a partner in the regional setup is, when the planning department on the local level goes through the necessary process as quickly as possible, it then becomes bogged down when it hits the region. Since the province, in its wisdom, gave the regional municipality more power and jurisdiction than the local municipalities, I feel it is now necessary to streamline the Ontario Municipal Board."

From a medium, urban, nonregionalized municipality: "The time delay in securing a hearing before the Ontario Municipal Board and the subsequent delay in getting a decision is probably one of the most frustrating areas of bureaucracy that municipal government has to put up with."

From a large, regionalized municipality: "Excessive delays have indeed been a source of frustration to municipal councils and the construction industry. It would seem that the appointment of additional board members and more staff, if required, would be a small price to pay if this part of the process can be made more efficient."

From a large, urban, regionalized municipality: "I wholeheartedly endorse your resolution and I sincerely hope the government will adopt your proposal. It has long been a source of irritation to me to hear criticisms directed at our municipal officials when in fact the fault lies at the doorstep of some outside agency, such as the Ontario Municipal Board, in not scheduling hearings much earlier than is presently the case. Quite often delays occur in other government agencies,



such as various branches of the Ministry of Housing, where their approval is required pursuant to the Planning Act."

From a large, regionalized, urban city: "I have often thought it might be a reasonable thing to apply a similar set of rules to all government agencies, since one hears many horror stories of approval processes that are delayed over what seems to be very unreasonable time frames. Sometimes those delays can be of sufficient duration to stifle what private individuals seek to do."

It is clear to see the frustration felt by municipalities across the province. Let me also indicate where the Premier stands on this matter by quoting from one of Toronto's large daily newspapers on June 10, 1980, when it reported the Premier's address to the Ontario Renewals conference. "The Premier took a crack at municipal officials for dragging their feet while processing approvals of renewal projects, saying that they never stopped to consider how much their delays add to the cost of multimillion-dollar projects. You can't encourage redevelopment or revitalization if you are going to put in front of the people you want to do it a series of complex bylaws or hearings that drag on until the investment is no longer attractive."

It is unfortunate that the Premier blames the municipalities of Ontario for long delays in approving needed development when the greatest detriment to quick approvals is the delay in scheduling a hearing and making public the decision. There are normal delays of nine to 12 months when there is no reason under the sun why the total time could not be reduced to four months.

I am aware that if developers want to call the Premier's office or hire a high-priced lawyer or even contact their lowly MPP, who in turn will lobby at the OMB for an early hearing, this can be arranged. But is that the way a system should be run? Is that the way a democracy should be run? Public relations money that is spent by the Ministry of Industry and Tourism and by many other ministries totals in the neighbourhood of \$18 million to \$24 million only in three or four months of this year. Could not some of that money go to hiring a sufficient staff at the OMB if that is what is needed?

There are several ways the whole process can be expedited:

1. The OMB has to be conscious of the problems it is causing because of the long delays and try to make the present system more efficient. Not only must the members' hearings be scheduled more efficiently but also their reports should not sit around for

one to two months on some secretary's desk to be typed after they have been submitted.

2. More members must be appointed to deal with the tremendous backlog of cases. If the government does not respond to the need, the OMB should publicly request additional members and then let the opposition come to their defence.

3. The OMB members should not be asked to deal with minor cases such as assessment of appeals amounting to only a few dollars. These appeals sometimes are for less than \$100 and take one, two, three and more days to deal with a particular problem, in addition to travelling time and the large expense of travelling and lodging.

4. I would recommend that consideration be given to the creation of two boards. One would deal with planning and boundary matters and the other with approval of capital expenditures and assessment appeals.

5. Consideration should be given to geographically decentralizing the board's operations.

I look forward to hearing other members of this Legislature enter into this debate. I hope the combined contribution of all speakers will result in the government's taking appropriate steps to have the Ontario Municipal Board schedule hearings within 90 days of application and render decisions within 30 days of the termination of those hearings.

**Mr. Swart:** Mr. Speaker, I am pleased to rise to take part in this debate and to say immediately that in general principle I support the resolution we have before us from the member for Waterloo North.

I have some regrets about the resolution. The first regret is that it was not brought in in the form of amendments to the Planning Act so that we could have been specific about the issues other than just the two issues that are there. However, I recognize there is supposed to be a new Planning Act, or a total revision of the Planning Act. Perhaps if we approve of this resolution unanimously, the government will feel some obligation to incorporate at least these two items into the new act. There are many other items dealing with the whole time matter—the long time being taken and the reason for it. However, that could have been dealt with if this had been brought in by a bill amending the present Planning Act, and then it could have been incorporated into the new act.

5:10 p.m.

I regret also that the resolution is so confined that all it deals with is the question

of timely decision-making, when there are so many other matters of great concern with regard to planning that perhaps could have and should have been incorporated in a resolution if it were going to have some meaningful impact on the whole planning process in this province.

For instance, I would like to have seen recommendation number eight in the report of the Association of Municipalities of Ontario incorporated in this, where they say, "The Ontario Municipal Board must be the final adjudicator in all planning referred to it, in which a determination must be made as to whether or not a municipal action contravenes published provincial policy." I agree with that recommendation and that should be in here, because at the present time the government can overturn a ruling of the Ontario Municipal Board where it is patently clear that the Ontario Municipal Board carried out government policy but, for the sake of their friends or for some other reason, the government wants to change that decision of the Ontario Municipal Board and often makes the Ontario Municipal Board look bad.

I would also like to have seen something incorporated in the resolution with regard to the funding of the citizens' groups, who are often involved in costs of tens of thousands of dollars in fighting a just case for the citizens. When they are up against the municipalities and the Ontario government, how can they possibly hope to win if they do not have some equality in funds to fight the case? However, those points are not in it; they have been left out. But in any event I will be supporting the resolution before us.

I want to voice, though, some support for the Ontario Municipal Board. I think it is fair to say that in its decisions it is probably the most creditable of any of the boards appointed by the provincial government, and it appoints very many. I think both citizens and municipalities generally agree that the Ontario Municipal Board is an independent body, which looks at the evidence, is not influenced by political considerations, then comes down with the decision with which they may not agree at times, but they do not challenge the integrity of the Ontario Municipal Board. I wanted to make those comments.

I also want to comment—because I know it to be true; I have done substantial investigation—that often the delays which are attributed to the Ontario Municipal Board, not always, but on some occasions, I have found not to be the fault of the Ontario

Municipal Board, but the fault of the Ontario government or, in some cases, the municipalities or other bodies not getting their reports in.

Having said that, I recognize there is a real problem that needs addressing and two specific matters in this resolution do address that time element and, as I have already said, I do support it. There have been occasions, and still are, of interminable delays in a final decision being made on planning matters.

I would just give one example, and that is the case of Leon's, which wanted to establish a warehouse in the city of Thorold. It should be said that I am in total disagreement with where they wanted to establish it, because it is in a prime agricultural area, an area that has no other development around it. However, having said that, it is now something like eight years since they made their application to the municipality of Thorold to have an official plan change to permit this development there.

**Mr. Wildman:** Have they farmed there for eight years?

**Mr. Swart:** No, they have let it grow over, and that is one of the problems with developers buying up prime agricultural land: they let it grow over with weeds, and that is what has happened to this area. But, regardless of the merits of an application and the disagreements there may be, surely they have the right to have a decision made within a reasonable length of time. When they are talking of seven or eight years and no final decision has been made, that is not reasonable. Incidentally, it has now been before the cabinet for more than a year. The city of Thorold has withdrawn it once or twice and is now putting it back again, but the cabinet has not made a decision.

**Mr. Wildman:** They are pretty slow-moving over there.

**Mr. Swart:** They sure are. If it is controversial, they do not like to move at all, especially if it is going to step on the toes of their friends.

There are problems and we do need some measures such as are proposed in this resolution. I was surprised that the member for Waterloo North did not document the time delays that have taken place. My understanding from talking to a number of senior planners around this province is that the situation at the present time is quite dramatically improved over what it was two or three years ago. One obvious reason for this is that there is not much development going



on in the province. Because of the Tory government, the province is stagnating and that has contributed to the speeding up of the processes. Also it is due to the fact that the Ontario government—and I will give them credit for this—has appointed additional members to the Ontario Municipal Board.

I am told official plans are dealt with in about 90 days if they do not have to go to the Ontario Municipal Board. Where the Ontario Municipal Board was setting major hearings as much as eight and nine months in advance, they are now down to about four months. But I agree with the member for Waterloo North that 90 days is better than even four months. They would meet it if that deadline were there.

Most decisions on subdivisions that go to the board are made within about three months, I understand, if they are not complex ones.

Any regulations put in with regard to time must be carefully thought out so they do not restrict full consideration and do not prevent adequate public input, because that is an extremely important part of the whole planning process. The resolution we have, as already stated, bypasses many of the real problems of time consumption in planning matters. Many of the delays—in fact, most of them—are the direct result of government policies.

First of all, the number of levels of government that anyone wishing to make a change has to go through is greater. Regional government has greatly extended the amount of time it requires to process zoning applications, official plans and even subdivisions. It means there is another level of government it has to go through. I am sure time consumption in the planning process is multiplied logarithmically by the number of bodies that have to deal with it.

**Mr. Speaker:** The honourable member's time has now expired.

**Mr. Swart:** Thank you, Mr. Speaker. We will be supporting the resolution.

**Mr. J. Johnson:** Mr. Speaker, unlike the previous speaker, the member for Welland-Thorold, I think this is a meaningful resolution and I am pleased to have an opportunity to speak in support of the resolution presented by the member for Waterloo North. However, in my opinion, this resolution is in two parts. My support is directed to the general principle of the resolution, the first part.

I have personally felt concerned about the timeliness of OMB decisions. It is a great

advantage to many people when planning matters can be acted upon without undue delay. However, I am not sure it is wise for us in this House to attempt to mandate specific time periods. In doing so we may create more problems than we solve. Therefore, I cannot support the second part of the resolution.

The basic role of the Ontario Municipal Board in the planning process is a crucial one. Any citizen or group may use the OMB as a forum to express grievances arising from planning decisions. Our province is actually one of the more enlightened jurisdictions in this respect. In other provinces and other areas outside Canada, it is much more difficult for all parties concerned in a planning decision to obtain a fair and balanced hearing.

There is certainly no harm in considering whether we might be able to improve on the OMB's decision-making process. After all, a lot of money and a lot of people's private considerations hang in the balance until these decisions are rendered. It is important for us also to remember that we should promote the viable and sound development of our province.

The problems caused by the current system are well illustrated by a case with which I am well acquainted. It dragged on for a great length of time—not, I emphasize, because of OMB incompetence but possibly as a result of jurisdictional overlaps. I am talking about the well-known decision to build a bridge over the Elora Gorge in my riding of Wellington-Dufferin-Peel. It was a development decision of great significance to a large number of people in this area. Plans to extend Wellington county road number seven were in motion as early as 1972. The goal was to reroute through traffic from the congested downtown core of Elora.

I do not know whether you have ever been to Elora, Mr. Speaker, but I assume you have. It is a lovely nineteenth-century village where merchants and other residents have worked diligently at restoring the stores and other buildings. It is really quite a lovely spot. The idea of a bridge over the gorge was to take the pressure off the central area. It was being used by all the traffic through the area, including trucks, and it just did not seem fair to the people who worked hard to maintain a picturesque atmosphere that this congestion should spoil their environment. The local officials decided to span the gorge to balance this traffic flow.

Most people were strongly in agreement, the decision was approved by the local gov-

ernments, including Wellington county council in 1974, and an amendment was included in the official plan of the centre of Wellington planning region. A study group was formed with the task of assessing the potential environmental impact. That study group was composed of people from our own Ministry of Transportation and Communications and the Ministry of the Environment. It included experts from the Grand River Conservation Authority, and there were technical personnel from the county as well.

Representatives from environmentalist groups took part in the public hearings that this study group held and they came at the express invitation of the group. Those public hearings on the potential environmental impact continued for several months. The conclusion reached by that group was that any alternatives to the proposed bridge would be less desirable in terms of impact on the natural environment.

By 1974, a total of \$75,000 had been spent in planning and engineering studies. The decision to build the Elora Gorge bridge was carefully thought out; however, a couple of public officials felt it was incumbent upon them to block the project. One was then a member of the Kitchener city council and is now mayor of the city of Kitchener. The other sits opposite in this House, the member for Brantford (Mr. Makarchuk). These gentlemen commenced an action in the Supreme Court of Ontario. It was a suit against the land conveyance that had been granted by the Grand River Conservation Authority to the council. That motion was dismissed by the Supreme Court, and subsequent appeals were lost.

In 1976, these same individuals decided to take their complaint to the Supreme Court of Canada. Again the judge ruled in favour of the legality of the land conveyance that was granted by the conservation authority.

In 1976, there was the unanimous reaffirmation by the Wellington county council of its authorization to proceed on the project. A county council exercised its local autonomy, and once again it was held up. The gentleman in question asked the Ontario Ministry of Housing to refer the matter to the Ontario Municipal Board. Four separate hearings were held by the OMB commissioners. They patiently listened to the arguments of the opponents of the project who claimed it would harm the ecology of the area. Following patient and careful deliberation, the OMB ruled in favour of the bridge. They

agreed with the decisions made earlier by the local authorities and supported by the courts. Refusing to be dismayed, the opponents filed a petition with the Ontario cabinet. They succeeded in getting yet another hearing. They wanted the OMB's decision revoked.

Finally, the original authorization of the local government was supported. Construction began in 1978, six years later. The bridge was opened on September 25, 1980. I had the honour, pleasure and privilege of participating in that event. It is a lovely bridge and like the bridges one sees in the old world, I think this one will be a positive enhancement to the natural setting of the beautiful Elora Gorge.

The implications of this extensive delay were great. Mr. Holmes, the roads engineer for the county of Wellington, points out that these lengthy procedures were the major contributor to the final cost of the bridge project being at least twice the original estimate given in 1972, a cost of many hundreds of thousands of dollars.

He also feels that another great source of unnecessary expense was the duplication of work as a result of these many appeals and hearings. For example, the initial environmental assessment study conducted by the local government was repeated several times by other groups as part of these hearings. Perhaps this is an exceptional case, but it does emphasize the fact that some change is needed. I would support with great enthusiasm any action taken towards eliminating such delays in decision-making.

It is quite clear that changes regarding the role and procedure of the OMB would help to accomplish this. Steps should be taken to improve the way the appeal process works. I feel there should be more emphasis placed on the importance of a municipal decision. I believe we must respect local autonomy. In addition, the procedure of the OMB should be streamlined to eliminate unnecessary appeals. I personally feel a lot could be done generally to speed up the hearing process. The grounds for appeals should be restricted to reduce the number of frivolous appeals.

Finally, many bodies which have studied the OMB suggest it should not undertake *de novo* hearings, hearings which start right back at the beginning. It is hoped that this would eliminate the kind of duplication of the work I have mentioned. Lest I have sounded unduly negative, I would like to commend the Ontario Municipal Board for its extremely efficient action which was of



great benefit in the recent planning decision I am acquainted with.

One of the municipalities in my riding requested approval of a bylaw to reconstruct its sewer line. They asked for the decision last Friday and, despite the fact that Monday was a holiday, they got a decision by Wednesday of this week. This was thanks to the good offices of Mr. Manji and Mr. Lawrie of the OMB. I would like to thank them for their prompt and efficient assistance.

In summary, I support the principle of this resolution, but I express concern about the time limitations proposed in the resolution.

**Mr. Haggerty:** Mr. Speaker, I would like to address myself to ballot item 26. I think the member for Waterloo North (Mr. Epp) has put it in plain English we can all understand. There is a time delay in matters related to hearings before the Ontario Municipal Board. He states that the government should recognize the principles of timely decision-making endorsed by Ontario municipalities so that planning matters can be acted upon without undue delay and, further, that the Ontario Municipal Board be required to hold hearings within 90 days of a referral and be required to render a decision within 30 days of that hearing.

The member for Waterloo North mentioned the history of the Ontario Municipal Board. I might add he was quoting from the report of the select committee on the Ontario Municipal Board in 1972. I was fortunate enough to be a member of that committee. We travelled to many municipalities in Ontario. We went to the British Columbia Legislative Assembly. We stopped at Winnipeg and met some staff members at the Legislature, in particular the city representatives and Mayor Juba.

The committee was appointed on June 3, 1972. We received 231 written submissions and 142 oral submissions from municipalities, community associations, professional bodies and individuals who had expressed concern about the function and operation of the Ontario Municipal Board. While the committee set out to consider all functions of the OMB, it concentrated on four major areas of the board's work: planning, capital expenditure, assessment appeals and municipal organization.

5:30 p.m.

During the hearings, I believe the former chairman of the Ontario Municipal Board, Mr. J. A. Kennedy, QC, was an advocate of the individual rights of citizens in this area.

He did a courageous job in many areas in bringing down appeals. In his estimation, much of the time spent on appeals was spent on the Planning Act and municipal planning bylaws and 50 per cent on administrative time, while capital expenditures occupied the rest of the time; possibly 10 per cent of the time was spent on that aspect.

There were about 38 recommendations put forward by the committee. To this day I cannot recall if any of those have been carried out or accepted by the ministry. I could be wrong in that, but our recommendation was very strong in the area of the Planning Act. We suggested at that time the government review the Planning Act and bring in a new one. We are still waiting for that new act.

After some eight years we are still waiting for the white paper on the Planning Act which would provide methods and recommendations to be considered for local autonomy and local decisions. If the white paper states that the province sees its task as enabling and encouraging as much planning authority and decision-making as is practicable or possible to be transferred to the municipal level, that will be a step in the right direction. As I said, we are waiting for amendments to the Planning Act to come forward, but we have to question that.

Our report stated in chapter 12 that the Ontario Municipal Board should retain the adversary system but conduct its hearings in an informal manner. At that time I found it difficult to follow. I thought it was becoming too much of an adversary system, providing a field day for a number of lawyers to get into the picture without having due consideration for the citizens who were making the appeals. I found then and I find today that the citizens are at a disadvantage at a hearing of the Ontario Municipal Board because they do not have the expertise to bring forward on their behalf. It is a costly item.

For example, I was interested in a recent decision of the Ontario Municipal Board as it related to a lagoon to be located in the Douglastown-Stevensville area. A part of it is in the city of Niagara Falls. The board had finally made a decision to approve the site. But the citizens had to fight city hall. In this instance it was the regional government.

My colleague from Welland-Thorold (Mr. Swart) talked about this. As I stated before, he is the godfather of regional government in the area. But here is another area where the provincial government has some say in matters of zoning and planning in the municipalities. Of course, the citizens were at a disadvantage because they did not have the

expertise to compete against what the regional council, the regional planning committee or the regional engineering staff could provide at that hearing.

So I suggest that when we talk about delays this is an area that we should consider. Some professional help should be provided to citizens' groups on an appeal.

There were some other good suggestions in the report which I thought should be considered. One of the recommendations was on municipal and public relations: "The Ontario Municipal Board's decisions should be edited concisely and published regularly." I thought that was important. Another important recommendation was that the Ontario Municipal Board "should set up information centres in many parts of the province. Branch offices of the Ministry of Treasury, Economics and Intergovernmental Affairs or other ministries could be used for this purpose."

There was a good reason for this recommendation put forward by the committee because often when a person has to make an appeal the facts concerning it are not known. Often, a municipal council does not have that information available to the general public. It is to be hoped that a day will come when we will have a Freedom of Information Act and people will have access to everything.

One of the key points in this report was that the general public should be knowledgeable in all areas of planning, such as proposed planning amendments, rezoning amendments and many other things. They should have good background information so that, if they appear before the Ontario Municipal Board at a hearing, they would be at least on an even keel with the experts appearing for a developer, or whatever the case may be. The member suggests the length of time it takes for some of the appeals would be cut down if both parties and municipal governments were out in the open and stated which direction they were looking to making changes.

There are some conflicting things relating to government policy. The intent of the Ontario Municipal Board, as I understand from that report and as was explained to committee members in detail, was to follow up government policy. The member for Welland-Thorold did mention some conflicting views in government policy. We now have a government policy relating to the Planning Act, and we have a policy relating to the green paper on foodland guidelines. With these two conflicting government policies, it can be costly when the appeal is being made to the board.

In this instance the member was talking about disappearing farm land and said the appeal system should not be that lengthy. He went on to talk about areas in Thorold township where there have been delays of 17 or 18 years.

I can recall when the member was on the Welland county council. I am just pulling these thoughts together. When he was reeve of Thorold, the regional detention centre was built in Thorold township, much of Niagara College was constructed in Thorold township, part of Brock University was built in Thorold township, and there were some subdivisions built on the top of the escarpment. All of this was on choice land. If we had planning then, I do not think we would have seen the farm land disappear. But again, it depends on what side of the fence you are sitting. Things moved along pretty well in Thorold township through his leadership. I have seen some good farm land disappear.

I look at Highway 20, that ribbon of commercial development from Fonthill to the Niagara Falls boundary. When a person could have had control as head of a municipality, that is when planning should have come forward.

In all, the resolution indicates that these recommendations put forward by the committee in 1972 should be accepted and adopted through some form of legislation that would speed up the hearings process. I know it is costly on both sides, and again, I say I would have to support the resolution. It brings forth a problem still existing relating to the length and the time taken by hearings; sometimes they can go on for a couple of years, and that can be costly when you are dealing with legal counsel.

The government will be bringing in a white paper on the new Planning Act, and perhaps it will speed up some of the delays in hearings before the Ontario Municipal Board. With those few comments, I support the resolution.

**Mr. Charlton:** I rise in support of the resolution as well, Mr. Speaker, although I should say at the outset, the resolution provides an opportunity for us to deal in a very loose way with what a number of members have expressed in terms of some very serious problems in overall planning in the province.

The resolution is somewhat weak. It deals with some of the red tape in the system, but it does not deal effectively with the overall problems of planning delays and the lack of real planning policy in Ontario. However, the specific items in the resolution are sup-



portable as small specific measures to deal with some of the problems in the process.

5:40 p.m.

One of the things it has become very apparent that this government has almost totally failed to deal effectively with is the change in the planning process which has resulted from the implementation of regional governments in Ontario where people trying to work their way through that process now have to deal with the planning committees at both levels of government, local as well as regional.

Not only was the process extended without effectively amending the legislation to deal with it, but also a situation was set up where for those trying to work their way through a process which was already encumbered with red tape, the possibility exists, in having to deal with two levels of local government, where the local municipality and the region may end up in conflict about the matter being raised, which would tend to frustrate and lengthen yet again the whole process.

We have had a number of situations like that in Hamilton-Wentworth, and I would imagine much the same thing happens in most of the regional municipalities across the province.

We had a situation here last spring where this government had an opportunity, with the private bill from the city of Brantford, to deal in a very straightforward way with the elimination of a lot of the red tape in the process in the best interests of the municipality. The government chose to shirk that responsibility totally and to shove that municipality back into a planning process which, for all intents and purposes, has eliminated its effectiveness to deal with the specific proposals it wanted to implement in the municipality in the best interests of the taxpayers.

We had another situation in Niagara where this government used this process loaded with red tape to avoid its responsibility totally. It made a policy decision in Niagara and then, in effect, refused to defend that policy position before the Ontario Municipal Board, and we ended up with a hearing that lasted almost a year. The costs involved in that process are fairly well known to all of us, together with the inconvenience and the negative effect it has on what in many instances could be useful, logical development.

My support of the resolution is based on two things. One is the obvious specific attempts to deal with cutting some of the red

tape in calling OMB hearings and the time limit on the decision-rendering process. In addition, it would focus the government's use of the planning process and its cumbersome nature, which is their way out of dealing directly with the planning problems that confront this province. It is not just in any given municipality, it is right across the province. The problems may be different in the north or the east or southwestern Ontario from what they are around Metro Toronto, but the problems are there none the less. This government has failed totally to come to terms with those planning problems in terms of setting out a logical approach to the future for this province.

A number of members have mentioned farm land. A number of members have mentioned the logical location of industrial development as opposed to the rest of the things that make up the planning process, residential and so on. All of these issues are being avoided by the government; they are being shoved off into a process which so frustrates and infuriates the progress of development that we end up with total projects going down the drain. For those reasons, I am prepared to support this resolution today.

**Mr. Turner:** Mr. Speaker, I do not want to be repetitive and I do not want to use up the time of the House unnecessarily. However, as a member of the former select committee on the Ontario Municipal Board, I would like to make a few comments.

The first thing I would like to say is that I support the resolution and commend the member for bringing it forward. I think it is fair to say the Ontario Municipal Board has a forcible impact on municipal development. In that respect I suppose every resident of Ontario comes into contact or has the possibility of coming into contact with municipal board decisions and its very actions.

We should recognize that the OMB is a unique organization in this country and, indeed, in North America. It is unique in the respect that it is still—to the best of my knowledge—one of the few such boards, if not the only board of its kind, dealing with the matters it deals with.

The approval of various development plans under the Planning Act is just one of the many activities of the board. However, it is interesting to note that this activity occupies 90 per cent of the OMB's hearing time and 50 per cent of its administration time.

It was interesting, during the many submissions that were presented to the select

committee, that one overwhelming fact stood out: The public strongly supports the concept of the board. It came across very clearly that the public did not want the board tampered with in any way that would tend to weaken it. The people of Ontario quite obviously feel very strongly that the OMB offers a platform or a court of last resort, if you will, on virtually all municipal decisions.

The board also offers a form of protection for the public so that all aspects and impacts of proposed changes are examined, and the public is given the chance for input. This feeling again was reflected by the many people who appeared before the select committee.

I think we should emphasize that the Ontario Municipal Board has developed over the years a well-deserved reputation for fairness and excellence of which we should all be proud. I do not want to repeat myself, but I will say again that I am pleased to support this resolution.

**Mr. Epp:** Mr. Speaker, I want to thank the member for Welland-Thorold (Mr. Swart), the member for Wellington-Dufferin-Peel (Mr. J. Johnson), the member for Erie (Mr. Haggerty), the member for Hamilton Mountain (Mr. Charlton) and the member for Peterborough (Mr. Turner), for speaking in support of the motion.

I am happy that they recognize, as I do, the costliness being borne by the developers and individual citizens of this province as a result of the many delays caused by the slowness of getting hearings scheduled and getting decisions from the Ontario Municipal Board.

If, as I hope, the House endorses this particular resolution unanimously, I know the OMB in consultation with the Attorney General (Mr. McMurtry) will find ways to speed up the hearings and thereby bring about the kind of changes desired by all members of this House.

5:50 p.m.

#### HOME SUPPORT SERVICES FOR SENIOR CITIZENS

**Mr. Speaker:** Mr. McCaffrey has moved resolution 36.

Resolution concurred in.

#### MUNICIPAL PLANNING

**Mr. Speaker:** Mr. Epp has moved resolution 31.

Resolution concurred in.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Wells:** Mr. Speaker, pursuant to the standing orders, I would like to indicate to the members of the House the business for the rest of this week and next.

Tonight we will be debating the two Hydro affairs committee reports that are shown on today's House business paper in this order: First, the special report on electrical capacity and, second, the final report on nuclear fuel waste.

Tomorrow morning the House will deal with the estimates of the Premier's office.

On Monday, we will finish the estimates of the Premier's office and, if there is any time remaining, we will go into budget debate.

On Tuesday we will deal with government motions numbered 17 and 18 on today's Order Paper and then proceed with second readings and committee of the whole of the following bills: Bill 172, the Municipal Affairs Amendment Act regarding conveyances; Bill 152, the Beef Cattle Marketing Amendment Act, and Bill 153, the Warble Fly Control Repeal Act. We will then proceed to the committee of the whole House consideration of Bill 59 and, if there is any time left on Tuesday evening, we will proceed to handle the budget debate.

**Mr. Nixon:** What about the Vicious Dogs Act?

**Hon. Mr. Wells:** The dogs have asked to be put off a week.

On Wednesday, three committees may meet in the morning: general government, resources and justice.

On Thursday, October 23, in the afternoon we will deal with private members' ballot items 27 and 28 standing in the names of Mr. Lupusella and Mr. Eaton. In the evening, we will start the estimates of the Ministry of Northern Affairs, and we will continue with those estimates on the morning of Friday, October 24.

The House recessed at 5:54 p.m.



# ERRATA

No.	Page	Column	Line	Should read
84	3227	2	21	Bill 85, as amended, reported.
87	3304	2	21	I understand you speak Polish. I come from the same part of the world as you do. You are an undefeated champion for the freedom of Lithuania. I would like to quote from our common poet: "Lithuania, my country, you are like health. Only those who have lost it appreciate what it means."

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# **Legislature of Ontario Debates**

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, October 16, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, OCTOBER 16, 1980

The House resumed at 8:04 p.m.

## SELECT COMMITTEE ON ONTARIO HYDRO AFFAIRS (continued)

**Mr. Speaker:** When we rose at 6 o'clock, I think the honourable member for York South was about to take the floor.

**Hon. Mr. Welch:** Mr. Speaker, a point of order: It is my understanding that some general agreement has been arrived at with respect to the consideration of this report during the evening. That is, we would divide the time between now and 10:30 p.m. equally among the three parties, which means about 50 minutes for each of our respective groups to be involved in this debate prior to its resolution. If that is the agreement, I thought perhaps we should mention that now for purposes of having the table keep track of the time.

**Mr. Speaker:** That is my understanding of the arrangement all right. Do you want to deal with the two items separately or do you want to deal with them together?

**Mr. MacDonald:** They are totally different.

**Mr. Speaker:** I suggest the 150 minutes the Deputy Premier referred to not only be shared equitably among the three parties, but you would allocate a sufficient amount of time to cover both topics.

**Hon. Mr. Welch:** Mr. Speaker, it was my understanding that we were just going to do the one report under the order you called. The 150 minutes we would be devoting to the attention of that report would be divided equally among the three groups. In other words, it is my thought that notwithstanding earlier indications to the contrary, we were going to spend this particular October evening simply on that one report.

**Mr. Nixon:** I do not want to waste time but where did that understanding come from? Was it between you two?

**Hon. Mr. Welch:** Wait a minute. It came from my House leader, as a result of a meeting he had with you and the other House leader. The understanding was we were going to do that. I am surely not making it up.

**Mr. J. Reed:** Typical Tory interpretation.

**Hon. Mr. Welch:** I would be delighted if we get both reports completed tonight. Was that the plan? I have no objection to that.

Resuming the adjourned debate on the motion for adoption of the special report of the select committee on Ontario Hydro affairs, dated December 1979, re: the need for electrical capacity.

**Mr. MacDonald:** The first item we have to deal with tonight—and I suspect, Mr. Speaker, if I may gratuitously add, it will take the full 150 minutes; I may be wrong and, if so, we can go on to the second item—is a special report on the need for electrical capacity.

This report was completed and tabled in this House 10 months ago, in December 1979. Its substance can be very succinctly put. I just want to remind the House at the outset so we will know exactly what we are focusing on that the majority conclusion of this special report was that the growth in demand for electricity, from now through to the end of the century, will be in the range of two to three per cent annually.

That was the conclusion that the committee came to after examining all of the normal inputs that have an impact on electrical energy growth. To have the picture complete, the House should acknowledge or recognize that the Conservative members of the committee dissented, but their dissent was, if I may put it this way, something of a marginal dissent. In their view, the range of growth would be between two and four per cent rather than between two and three per cent.

However, the conclusion that was derived from this, and this is the point that the House will want to focus on, I suspect, is that with the growth in the range of two to three per cent, in the view of the majority of the committee, the Darlington station will not be required until between the years of 1996 and 2004. Therefore, the major recommendation of the committee flowing, I would think, almost with common sense was this, and I quote:

"The government of Ontario inform Ontario Hydro that no additional contracts for construction of the Darlington generating

station be awarded until the government has reported to the Legislative Assembly its policy for the construction of additional generating capacity in Ontario."

I have in my hand the quarterly update of Ontario Hydro for the second quarter of 1980. In it there is a very startling statistic. It notes that at the end of six months in the year 1979, Ontario Hydro had total energy delivery sales of 54,000 million kilowatt hours. In 1980, the comparable figures for the first six months was 53,809 million. In other words, the total amount of electrical energy sold by Ontario Hydro in the first six months of this year was less than it was in the first six months of last year. In short, Ontario Hydro has achieved something which some people said was possible and many people pooh-poohed, that is, zero growth in electrical energy sales in the first six months of this year.

8:10 p.m.

I want to remind the House how that compares with the traditional pattern. Most members are aware that the traditional pattern of annual load growth in Ontario Hydro up until about the mid-1970s was in the range of seven per cent. That figure may not mean very much to the average person until he does a little bit of mental arithmetic. If one compounds the seven per cent growth, one will find every 10 years that one has to double the generating capacity of the system: a really staggering, mind-boggling kind of proposition.

**Mr. Nixon:** But not new.

**Mr. MacDonald:** What does the member mean by not new?

**Mr. Nixon:** Well, it may be mind-boggling. The first time we heard about it was 10 years ago.

**Mr. MacDonald:** We will hear from the member later.

**Mr. Nixon:** All right.

**Mr. MacDonald:** Members may also recall the first significant drop in Ontario's load was imposed by this government. Darcy McKeough in his inimitable fashion intervened in 1976 and said to Hydro, "Whatever you may think your needs are in terms of new capital, you are not going to have more than a billion and a half a year." In fixing that ceiling, he made it necessary for Hydro to go back and recalculate how much new growth they could put in and therefore how much load growth they could permit, and to have conservation programs and other methods for reducing that load growth. By

so doing, in that arbitrary artificial way, he forced the load growth down into the five to six per cent range.

In 1979 the projected load growth had dropped to 4.6 per cent. By 1980 it had dropped to 3.4 per cent, on the basis of which Hydro moved in its 1980 revision of its expansion program to impose the second delay in the construction of Darlington. It is to be completed now in the years 1989 to 1991 for the four units throughout that period. Let me remind the House that on the basis of the 1980 load forecast, Darlington's power will not be needed in the system, as acknowledged by Ontario Hydro in its system expansion program revision, until the years 1991 to 1995. In short, it will be completed before it is needed.

Zero electrical energy growth must come as a rather startling revelation to the general public of this problem. I say that because government spokesmen, with the Premier (Mr. Davis) leading the pack, have been contending that electricity is a substitute for high-priced oil. Hydro has been arguing that excess generating capacity is a boon and not an embarrassment because it represents an indigenous energy source that can be used to replace imports. If we have access capacity, we can sell it to the United States at a profit and it will help to reduce the rates that will be charged to the domestic consumers here in the province. But in reality this is not happening. I wonder when we are going to live with the reality.

When we escape from the fantasy world of the Premier's political rhetoric and Hydro's promotional advertising, we find, I repeat, that for the first six months of this year we actually dropped in electrical energy sales by 0.4—in effect, zero electrical energy growth. For those who think the answer is in export sales, I draw your attention to the quarterly report too. In 1979 we showed in what is described here as secondary sales and transfers, 6,642 million kilowatt hours. This year in the first six months we sold only 5,911 million kilowatt hours—in other words, a drop of 700 million kilowatt hours of export sales. It's all down. The real world is that in all of these levels they haven't been achieved.

The significant point that honourable members should note is that Hydro's annual growth rate this year is likely to fall into the two to three per cent range, which the majority of the select committee stated it would be in this report tabled last December. The evidence piles up more and more conclusively that Hydro's forecast for future growth rates is still excessively high. When the chief fore-



caster, for example, was before the committee 18 months ago, he indicated that Hydro's new econometric model was not significantly out of step with the Ministry of Energy model, a forecast of growth rate in the range of 2.5 to 2.8 per cent. In spite of that, Hydro picked a forecast for 1979 not in that range, but at 4.6 per cent. As I have already reminded the House, a year later, in 1980, they had to drop that dramatically from 4.6 to 3.4 per cent annual growth through to the end of this century.

In the light of the current evidence that has just come out in this quarterly report and is being compiled weekly and monthly in Hydro, obviously Hydro's figures are still excessively high. With zero energy growth in the first six months of this year, they are going to be forced to bring their forecasts down below three per cent, precisely in the range that the select committee has estimated on the basis of all the evidence that was available to us more than one year ago, in the fall of 1979. In short, evidence is now confirming that the assessment and the conclusions of the select committee were valid.

So much for the forecast. What are their implications, because this is the important thing for us from the policy level? What are their implications in terms of Hydro's system expansion program? When Hydro's own forecast dropped dramatically from 4.6 per cent to 3.4 per cent between 1979 and 1980, they were forced to extend the construction program for Darlington for a second time. Honourable members may recall that Darlington, when authorized to start the construction in the fall of 1977, was originally needed to avoid brownouts and blackouts in the mid-1980s—1984 and 1985. That proved to be erroneous and so they postponed the startup until 1987. Now they have postponed it a second time and the first unit will come on stream in 1989.

But in Hydro's usual fashion, they are playing an ultra safe game despite all of the mothballed generating capacity now in the system. They have rescheduled the four units of Darlington to come on stream between 1989 and 1991. In fact, they conceded on the basis of the 1980 forecasts that Darlington will not be needed, a point I made a moment ago and I reiterate it, Darlington's power will not be needed until the years 1991 to 1995. In short, Darlington is going to be completed before it is needed.

The result will be that it will extend this period of excess generating capacity, which has been a burden on Hydro, that has to be carried in the rate structure. That excess capacity sits there idle, mothballed, stopped

and stored, or sitting there available if needed like Lennox, but running at virtually zero capacity. But if Hydro's growth rate is still too high, if it is going to drop to the range of two to three per cent which the committee has forecasted, then Darlington won't be needed until the years 1996 to 2004. That means the units of Darlington are going to be brought on stream anywhere from seven to 13 years earlier than they need to be brought on stream. They will force still more generating capacity into mothballs, if that is used rather than some other units of generating capacity within the system.

8:20 p.m.

Surely this is folly. It is bad management. It means we are going to carry not only through the decade of the 1980s, but well into the 1990s, some 4,000 megawatts or more of excess generating capacity which has been paid for and for which the debt burden has to be carried in the current rate structure. The recommendation of the select committee calls for the government to instruct Hydro that no more contracts should be let for Darlington until the government has reported to the Legislature its policy for the construction of additional generating capacity.

I suggest to the House that that recommendation is highly responsible. It represents plain common sense. The prospect that Hydro should continue to ignore the extent of the drop in its annual growth rate and continue to build at its current rate of construction, thereby adding to its generating capacity, is folly. For that reason, I invite members to support the recommendation of this committee.

Before I sit down, I want to deal with a rather intriguing rumour that has got around the halls this past afternoon. We all know that the Minister of Energy is a very cute fellow. The rumour has it that what the Minister of Energy is going to do tonight is to get up and make a statement that will be a statement of the government's policy with regard to the future construction of Hydro and that will be deemed to be what is requested in the recommendation. It will have been given. Therefore, all the government members will support the report and we will have no division. That magnificent consensus will have been achieved.

**Hon. Mr. Welch:** You should deal with fact and not rumour.

**Mr. MacDonald:** Never mind. If that is what is going to happen, if the minister is going to make a statement tonight which he will present as the government policy with

regard to the construction of additional generating capacity, I want to say two things. First, why wasn't that statement made a long time ago? This report has been sitting on the Order Paper for 10 months since last December. I suggest it is evidence of contempt and disdain for the good work of the committee, for the legitimate interests of the members of the Legislature and the public. If he had a policy statement he was going to make, he should have made it a long time ago and not held it until now.

My second point and my final point, and then I will sit down and leave it for others, is if the minister plans to make that statement, I invite him—indeed I almost demand of him—that he get in the first circle of speakers in the debate here tonight so that we will know what the substance of government policy is and we won't be debating in a vacuum. It will be something more of a contempt and disdain for both the Legislature and the committee if the minister sits in his seat and makes that statement as the final speech tonight when we won't have any opportunity to respond to it. I look forward to the minister rising as the next speaker and telling us what government policy is going to be, if it has a policy.

**Mr. Speaker:** The member for Durham West.

**Mr. Kerrio:** He is going to make the minister's statement.

**Mr. Ashe:** No. He is not going to make the minister's statement. The minister is more than capable of making his own statement at his time and at his choosing, which is his prerogative. It is amazing how these hallowed halls are filled with such rumours as suggested by the member for York South.

If all of these manoeuvres and rumours have any founding, then the two opposition parties had better get their two respective House leaders together because they were the ones who have prompted them and circulated them. It just takes some members to come up with their own conclusion.

Going back to the point at issue, which was the report that this Legislature is looking at tonight, the special report on the need for electrical capacity, the member for York South, the chairman of the committee, indicated to this House that there was a majority conclusion and that the minority or dissenting opinion of the government members, which I intend to put on the record very shortly, was just a marginal difference and that there was really no great difference between it at all.

It is too bad that the chairman of the committee wasn't a little more aware of what was going on in this particular regard. He knows as well as I do that there were more differences than just the difference between two and three per cent and between two and four per cent. But those who were involved very closely in the committee—I know all the honourable members present were not—know that even one per cent, when compounded over 20 years, is not an insignificant number.

The honourable member went to great lengths of pointing to—what was it?—zero zero something percentage as being a great breakthrough in the numbers game. One per cent over 20 years is a significant difference.

But that really was not the only difference of opinion held by the responsible members on that committee—namely the government members in this instance—regarding the whole procedure. The actual tenor of that motion is just unbelievable. It is actually suggesting that a consensus of this Legislature at a previous time should be thrown aside by this government. I will get to the points in due course.

**Mr. Foulds:** Are you really as obtuse as you sound?

**Mr. Ashe:** I had a good teacher in the committee, who just spoke—out of order as usual.

**Mr. Speaker,** the member for York South very briefly summarized some of the issues that were examined by the committee and tried to use a few examples to suggest how right the committee was on a report that is 10 months out of date. Of course, like everybody else, I have read the report again many times over the last few days. By the way, it was so difficult to come up with a report that had any substance that almost all of the background material had to be added in to make it look like anything. The total report itself was insignificantly short—namely about six pages—the dissent was another few pages, and that was really it.

We indicated that the report of the committee was inopportune in terms of the timing. I will be frank. I will even say the dissent has become outdated in the last 10 months. I do not say that in a negative way but in a very positive way.

It is amazing how the gloom and doom members opposite look at the down side of everything and anything. That is the whole basis on which they figure some day they will form the government in this province and the actual reason they will never form the government in this province.



**Mr. Nixon:** There is nothing gloomy about low load growth.

**Mr. Ashe:** You have to put a lot of numbers together; that is just one example.

Reviewing the dissent of the government members on the committee, I really saw no better way to summarize some of the concerns we had in the report than try reading it verbatim into the record and then commenting very briefly on a few items thereafter. That I intend to do.

"The members of the select committee from the Progressive Conservative Party"—and they are named—"wish to submit the following dissenting opinions on the need for electrical capacity. The Progressive Conservative members did not and do not agree that the report, as written, should be tabled in the Legislature. Instead we believe the report should be tabled at the committee in the winter session of hearings commencing in January 1980.

"The reasons for this position are as follows:

"1. Incomplete information.

"In January and February 1979, the committee members heard extensive testimony from a range of witnesses on the demand for electricity. The view of the Conservative members is that before the select committee can come to conclusions on the need for electrical capacity, as suggested by the title of this report, it must also hear evidence pertaining to energy supply.

"As pointed out in the majority report, decisions affecting the capacity of Ontario Hydro's system must involve many other factors besides the load forecast. It should also be noted that three members at present sitting on the committee were not part of the original in-depth discussions on the demand for electricity and, therefore, did not hear the evidence. In the last-minute rush by a majority of the committee to table the special report on the need for electrical capacity, it is highly unlikely that the three members indicated had time to review, in any detail, the previously submitted evidence.

8:30 p.m.

"Given that a number of important issues have not been properly addressed, such as, to name a few, the uncertainty of oil supply and relative pricing (nationally and internationally), the significant potential for interfuel substitution, and very important system planning factors such as transmission limitations, the Conservative members question the majority conclusion that the growth

in demand for electricity should fall in the range of two to three per cent."

Keep in mind, Mr. Speaker, we are not talking about six months or three months, which is how the members opposite would plan. That is why, down the line, we would again end up with the lights going off and the industry grinding down in this province. We are talking about 20 years and plus.

**Mr. Foulds:** Why are you staging such a gloom and doom theme?

**Mr. Ashe:** No, the members opposite are.

"2. Uncertainty in forecasts. There is a great deal of uncertainty about any load forecast, particularly in these energy uncertain times. We believe that because of the uncertainty involved it would be more prudent to consider a range of two to four per cent.

"Ontario Hydro is now in the process of reassessing its construction schedule in light of the load forecast and other considerations, leading to a decision early in 1980 when the new forecast will be available. This decision, and the planning for an electrical system in light of that forecast, is the responsibility of the Ontario Hydro board." With the passage of time, that exact thing did happen.

"The final report of the Royal Commission on Electrical Power Planning is also expected in the new year"—again, an event that came to pass.

"Therefore, it is premature to place this matter before the Legislature at this time. The committee should examine the issue of need for electrical capacity when updated information and analysis is available and when the committee has examined the supply side of the equation.

"3. Maintaining continuity of Hydro contracts. The importance of maintaining the flow of contracts should not be ignored. The implication of a disruption in contracts would amount to a deferral in construction schedule. Such a decision should be made only by the board of Ontario Hydro with full information and its implications."

**Mr. MacDonald:** Which they did.

**Mr. Ashe:** I already acknowledged that.

"Summary. As indicated in the majority report, members are: 'aware and concerned, however, about the very serious implications on the provincial economy and on Ontario Hydro of a load growth of only two to three per cent per year. Hydro's construction program is a very significant factor in total provincial employment. The most apparent implication is that the construction at Darlington should be deferred or stretched out even further. But the situation may not be

that simple. It is possible that Darlington should be built just to replace one of the older plants on the system that burns one of the fossil fuels. It may be that the construction schedule should be maintained to hold jobs in the current depressed economic circumstances or to keep the nuclear industry from complete collapse or just to provide insurance against other energy problems. The committee has not analysed any of these options in detail nor, in the time it has available, should it."

The last two paragraphs, Mr. Speaker, were quoted out of the majority report. Obviously the conclusion that the majority of the committee reached was inaccurate.

"The Conservative members believe the responsibility of the committee is to present findings and recommendations only after it has had an opportunity to assess all these factors. To propose a two to three per cent average annual load growth range without taking these factors fully into account is, in our view, irresponsible.

"It is the opinion of the Conservative members that it is particularly inappropriate for the committee to make a specific recommendation to halt the letting of contracts on Darlington. This is only one of the several generating stations under construction.

"The Legislature has assigned the responsibility for entering into contracts to the Hydro board of directors and Hydro management. It is the board, then, which should decide, with all information before it, on the nature and timing of new contracts relating to Darlington or, for that matter, any other generating station previously given approval by the Lieutenant Governor in Council."

As we know, under section 24 of the Power Corporation Act, that is not the Lieutenant Governor in Council's right but the fact is the Hydro board makes the decisions vis-à-vis contracts, makes the decisions and any alterations to a construction schedule, and of course they will fulfil that mandate in 1980 as they have done, based on up-to-date information as needed from time to time.

It is always very easy to be critical of something that may be different yesterday or tomorrow, three months from now or three months ago. Short-term planning is, I suppose one could say, relatively easy. Medium-term to long-term planning is much more difficult. I don't care what the issue is, but we know from experience and we have seen it whether we like it or not, that on major construction such as that undertaken by Ontario Hydro for new generating facilities, it takes anywhere from 12 to 14 years from the time the deci-

sion is made until a particular facility is generating power. One can't look at a few months at a time.

**Mr. Kerrio:** That is because of your Texas technology.

**Mr. Ashe:** That is the honourable member's opinion.

**Mr. Kerrio:** Exactly.

**Mr. Ashe:** That's good, we will hear from the honourable member in due course, hopefully for not too long a period of time.

One of the other things that the member for York South did not refer to but which in fact was addressed by the committee in its discussions, is this so-called overabundance and excess capacity one talks about. The thing that people do not—and I repeat "do not"—talk about and recognize is the fact what while we have excess capacity and hopefully we will always have excess capacity, it is awfully cheap insurance. At the same time, what Ontario Hydro is able to do is to cut down and/or eliminate the generation from other forms. One can use the term "standby" or "mothballed" or whatever, knowing it is there and can be cranked up in one of these four-to-five-year short-term-interval situations.

In the meantime we have virtually eliminated the misuse, I think everybody would agree, of gas and oil-fired generation in this province, which is a real curse that many provinces in Canada and many jurisdictions south of us are stuck with today because they don't have the flexibility and because they made inappropriate generating decisions a number of years ago that don't compare to those made by Ontario Hydro.

**Mr. MacDonald:** Does the member remember Wesleyville? They spent \$300 million on it, then mothballed it.

**Mr. Ashe:** Again, it just goes to prove how times do change.

**Mr. Foulds:** In the short term as well.

**Mr. MacDonald:** It shows how poor the planning was then.

**Mr. Ashe:** Isn't it amazing how people are experts in hindsight? I realize the members opposite are all experts in hindsight, but again, decisions relative to these plants are made many years prior to the need.

Who knew back at the time those decisions were taken that OPEC would come into being with all the power it has shown over the last number of years? Who could have predicted it? If any of the members opposite had predicted it, they would be millionaires and wouldn't even be here right now. Mind



you, some may have benefited. I am sure the honourable member opposite probably did, but all the more power to him. I wish I had had some extra money at the time and a little of that insight as well.

The other thing that hasn't been fully recognized, and there has been a pooh-pooh reference to sales of this export capacity, is that it has not been insignificant. Over the last few years it has meant a net income, not gross sales, for the consumers of Ontario Hydro's product in this province, of something in the order of \$275 million. It has meant a seven per cent reduction on the hydro bills for the Ontario consumer.

8:40 p.m.

This is not insignificant at all. If we do have problems with this kind of suggestion, again I think it was summarized and, as I read in the dissent, we said the report that was tabled was inappropriate at that time. I feel it is just as inappropriate at this time.

Having been on the select committee for some three years now, I sincerely feel that in most instances the committee has diligently looked at the tasks it has dealt with, pretty well without exception. Yes, from time to time partisan views come out. That is what it is all about; there is nothing wrong with that at all.

But I would have to say that this was the first major exception, the committee did not fulfil the mandate before it came out with the report. It did not look and examine all up-to-date information and all sides of an issue before it wanted to get in, helter-skelter, with what it felt, and I can only surmise, was going to be an embarrassment to the government and an embarrassment to Ontario Hydro. I really cannot see any other great motivation behind the committee's haste at that time.

There have been many other instances where that kind of haste was not indicated, other matters that the committee has dealt with over the last three years where it brought back an issue to look at other aspects. The safety one is an excellent example. The interim report did not indicate it was anything other than that, but we did look at other issues as identified by some of the members opposite.

**Mr. Haggerty:** We pay for all the burying of the wastes.

**Mr. Ashe:** The member is already into the waste issue. He is on the wrong report but that is par for the course, too.

In any event, we will pass on to other speakers so we can get around to what I

know the honourable members opposite are looking forward to, the words of wisdom that will be brought forth at the appropriate time by the honourable minister. I know they all will find them enlightening.

**Mr. Foulds:** How much drivel do we have to endure until that happens?

**Mr. Ashe:** But I think it is a safe conclusion, and again I have to emphasize it, to say that the government members on the committee felt 10 months ago this report was incomplete and inappropriate and should not have been considered by the House. My feelings, and I think they are shared by my colleagues, are that nothing has changed as far as this particular report being inappropriate is concerned and that we should not be dealing with it at this time at all. We will not be supporting it, obviously, for that reason.

**Mr. J. Reed:** Mr. Speaker, I was going to begin this commentary on this report in one particular way. Then I listened to the convolutions of the parliamentary assistant. I heard him run for cover behind the Hydro board of directors so as not to be answerable to the people of Ontario for the largest single financial error in the history of this province.

**Mr. Foulds:** A fiasco.

**Mr. Ashe:** Hogwash.

**Mr. J. Reed:** It really boggles my mind. The Power Corporation Act is constructed in such a way that the utility—

**Mr. Ashe:** Get up and say you don't want Darlington. Put it on the record that you are opposed to Darlington.

**The Deputy Speaker:** Order. Order. The member for Halton-Burlington has the floor.

**Mr. J. Reed:** Wait until I have finished—is not answerable to the people of Ontario. Consequently, they have been allowed simply to go on unchecked. Through the years they were warned—and this is one member who participated in that warning, and there were other members; the ministry itself with its own calculations of growth participated in that warning—yet, the utility ploughed on.

As the chairman of the select committee pointed out so well, the first real constraint that was placed on the utility was placed on it by the then Treasurer of the province who said, "Fellows, you are not going to get the \$6 billion that you think you want." I remember well the howl that went up from Ontario Hydro. I was at the press conference when we were warned of brownouts, blackouts and all sorts of horrendous consequences because that money wasn't being spent.

The reality in Ontario today is that we have on hand an excess capacity over and above the reserve margin we think we need to meet the peak that occurs for four hours once every year. Over and above that, we have an excess built-in capacity in the system of 4,000 megawatts, which I expect in today's dollars, if we were going to build today, would be an expenditure of at least \$4 billion.

As the chairman pointed out as well, however, the cost is factored in at the present time and the people of Ontario are carrying that burden and have to pay the interest and depreciation on equipment that is not operating. Still the utility forges ahead with the next new project. They justify it by telling us through a \$3 million advertising campaign, an immoral advertising campaign that is going on this year.

I have to make a little comment about the advertising campaign. It is double the budget being spent on hydraulic power development in the province this year. If the private sector were to present equations and scenarios, such as are presented in that feeling-of-wellbeing advertising campaign that imparts no information, it would be laughed out of business.

That advertising campaign is simply one of the tactics being used to cover up, to cloud and to justify a mistake. So many times I have tried to say publicly, why doesn't the utility stop, take stock, recognize and accept that it made a mistake? Why doesn't the government for once recognize that its own ministry could be right in its assessment of growth, which very nearly parallels the assessment made by the select committee, and stop and say something is wrong when a crown corporation, which is dependent on money being paid by the taxpayers of Ontario, can feed these coffers ad nauseam? We have to have some sort of energy policy that we can show to Ontario Hydro and have it fit into an energy policy for the future.

It is easier to push along and to shuffle along the way the government is doing at the present time, depend on the fear factor of oil shortages and make public statements about substitution in the future. We know that electric power will substitute very well for some things and that it does some jobs particularly well. No one can deny that. One also wonders about the convoluted vision that has been expressed by the Premier so many times that somehow we can move into an electrical future with ease and acceptance

and there are no difficulties. Of course, all we have to do is pay the price.

In fact, the select committee found out that even Ontario Hydro, when we get down to the nitty gritty, recognizes that petroleum products and electricity complement each other. That evidence was given to the select committee. They are not necessarily substitutes for one another. The ministry accepted the fact that what was an uncertain oil future does not necessarily lead to the consumption of more electric power. It was so evident in the experience of the United States, especially in the states that surround Ontario. We saw what was happening there first. There was an oil crisis in the United States before there was any impending oil crisis in Canada. What did we see? We saw lowered growth rates.

8:50 p.m.

Maybe the chairman would enlighten me which year it was that the econometric model came forward from Ontario Hydro, a model that had taken six years to perfect. It demonstrated a growth rate of about three per cent. When the forecaster came to the select committee, he showed three scenarios. One was this very expensive, elaborate, econometric model—a model not dissimilar and maybe more sophisticated than econometric models being used in surrounding utilities. He related that to his old method of forecasting. That was when they phoned up the major power users and said, "How much are you going to use next year, Bill?"

Then he made a decision. He split the difference between those two methods. We asked him, "Why did you come up with that decision? You spent millions of dollars presumably on this econometric model. Why did you come up with that decision?" He said, "Because I just didn't believe it."

That is really how Hydro planning has gone on for years. We had demographers from TEIGA who knew in 1960 that the birth rate was beginning to decline and they could predict the population. As a matter of fact, the Ministry of Education didn't even figure that one out until we had this crisis of declining enrolments. This began in 1960 and it continued in a straight line downwards and the demographer who came to the select committee said that she had picked this up early in the game. We said: "Why didn't anybody use it? Why was it not factored into the forecast?" She said nobody believed it.

Either this kind of expertise is worth something or it is not worth anything. The money that has been spent then has been



spent on seat-of-the-pants decisions that did really not believe the numbers and did not believe the facts and did not accept for one minute the expertise. When we often say in the opposition that Ontario Hydro is out of control, we say it for those reasons.

If this report should have any demonstrations to the government whatsoever, it should be, I would hope, a demonstrated need for the government to say, "We have got to take some responsibility. We have got to provide some leadership. We have to provide an energy policy for Ontario and show Hydro where it fits in that scenario, what role it has to play and what is expected of it in the future."

I was at the energy electricity conference here a few days ago and the honourable minister and I broke bread together and I enjoyed it very much. I heard an interpretation of our future as being an all-electric future, and here we go and this is the direction we have to go in. Really, that scenario was not denied by the Premier's speech, which the Minister of Energy read with such passion. I was quite impressed with the way he read the Premier's speech, but I really believe he would not have written it himself. There were some hand-over-the-heart statements that made me want to set some of it to music. But the fact is that the Premier and the government really and truly don't know how to cope with the energy future of Ontario.

While I must give the present minister credit for attempting to break through the rigidity and move on into new areas, I want to guarantee him that I will give him every credit where credit is due as these programs come forward. If there is anything to give credit for I will do my best to do that.

The fact is we are still stuck with this concept that oil and coal are diminishing and our only option is nuclear so we have got to get on with the job and we have nothing else to do. The facts do not follow through. The facts do not demonstrate that we are into some sort of electricity crisis because we have got an impending oil crisis. The facts do not show it and yet for some reason we carry on with our construction program. As a matter of fact, we not only carry on with electricity expansion in Ontario, we carry on specializing in nuclear expansion to the detriment of the other options that are available in the province which are competitive to nuclear power.

That is a rather sore point with me because I have tried to keep an objective stance on nuclear power and not become either an anti-nuclear person or a pro-

nuclear person but try to be as objective as possible. It bothers me very much that the nuclear lobby within Ontario Hydro would prevail to such an extent that more competitive options would not be allowed to flourish and the word would be spread that we just didn't have the capacity to develop hydraulically or whatever it was, or it was too expensive.

I have challenged the government, and the minister knows this, to open it up for private development, to call the bluff for one reason. If the private entrepreneur can put power into the system and make a small profit at a lower cost than the utility, then by golly, we have something to think about, don't we? I will make that contention until that happens.

The select committee made the recommendation about the no additional contracts. We know that Ontario Hydro, since the time this report was completed, have run around like madmen to sign as many contracts as possible because, as you know, there is a point of no return that one reaches when one starts a project of the magnitude of Darlington. A little scenario put together by the Royal Commission on Electric Power Planning shows that somewhere around 22 per cent of capital expenditure really flags that it is better financially to proceed to completion rather than to hold back, rather than to put a check on it or to cancel it or whatever. I would like to point out to the minister that according to my information, just about \$1 billion in contracts have been signed. At the time we made that recommendation, \$500 million in commitments had been made. Since that time, the select committee has been totally ignored by Hydro.

They have simply gone full steam ahead as quickly as possible to get up to their 22 per cent or 23 per cent or 24, whatever the heck it is that you can get to, and say, "Now we have got to justify completion." I just want to point out to the minister that those \$988 million, or whatever it is, in contracts that have been signed are not money that has been spent but they are commitments that have been made. I want the minister to be aware that we are not close to the 22 per cent yet.

When more sensible heads prevail in terms of the real growth that is taking place and how we manage the finances of this province and what we charge the consumers of electric power for standby and so on, when all of those factors are weighed in, the minister will look at that resolution and he will say, "By golly, it was made 10 months ago but

things that have happened over the last 10 months have proved the committee not only to be right but to have erred on the side of a most conservative," if the House will pardon the expression, "kind of statement." I think one must look at the reality and not at the fancy of what one might like to see happen.

9 p.m.

I will just point out one more thing before I sit down. There is great pressure among certain areas to lobby for total substitution into electric power. I want the minister to know that the technology for transferring to the use of an all-electric transportation system, for instance, is really only there to the extent of rail travel—something I support, incidentally. I hope the government moves to electrify our transit system very soon.

But when it comes to operating our truck transport, our automobile transport and so on, we know the technology is very limited. We also know the energy requirement to produce some of the components is very high, and electric power is increasing in cost at about one or two per cent over inflation per year. It appears it will do that as far as we can see in the future. It would seem to me there are some other options available from other kinds of substitution that are far more valid than a wholesale attempted dive into the use of electric power as a substitute.

There are competitive alternatives, and we have gone over them many times. We have the exciting new one I hope the government is discovering now, and that is peat. We have one we have done our best to bring to the government's attention, and that is fuel alcohols: ethanol, methanol or ammonia. Of course, we also have the potential for solar development, which I really do not want to get into.

All these things have to be allowed to take their place. Many of them are competitive now and many of them will be competitive within months or within a very few years. The technology of many of them has been with us for generations. To suggest for one minute that we simply have to build more reactors for the sake of providing this kind of electrical security when the facts show the reverse, really requires reconsideration, if I can use a very mild term.

I did not comment other than to show what Hydro had done in signing these contracts as they relate to the recommendation we made. The recommendation also asks for the government to bring an energy policy to this House, and it would be on that basis then Hydro would proceed at whatever pace

was appropriate to fitting into that energy policy.

I will appeal to the minister once again to bring in an energy policy, not just an ad hoc series, but an overall strategy; to impose it on Ontario Hydro and to make sure Hydro's future fits into the ministry's vision of our energy future in Ontario; to cut out this ad hockery and relieve the electrical consumers of Ontario of this incredible cost burden.

**Ms. Gigantes:** Mr. Speaker, whenever we get into these reports, it seems to me we sit and talk in an incredibly effete way—effete for people who have not been involved in this endless process of the select committee on Ontario Hydro affairs—about growth rates. We drone on and on about growth rates, but we do it for a good reason, because the growth rate is the base on which Hydro designs its expansion program. That expansion program costs us billions and it has been a major matter of concern in this Legislature and before the select committee and with the public of Ontario since 1975, when rate increases started to zoom.

That is why we talk about the growth rate and the disparities that now exist between the growth rate on which Hydro is basing its current building plan and the growth rate we see in the figures for 1978 and 1979 and for the first six months of 1980, which has been devastating. That disparity inspired us on the committee to sit down very carefully in December 1979 and say we think there is a major problem with the forecast on which Hydro is basing its expansion plans, we think the disparity between the figures that are actually being experienced in terms of electrical demand and the Hydro forecast is so great that we have to look at the question of whether Darlington should be built in the time frame in which Hydro proposes to bring it on stream.

I would go further and say we have to question whether Darlington should be built at all. It is of interest to me, listening to the Liberal energy critic and hearing him talk about the seriousness of the question of building Darlington, that it was after the Hydro committee had produced this report and produced the very good reasons why the whole matter of the time frame, and the building of Darlington by implication, should be re-examined by the government immediately in the light of current demand growth rates, that the leader of the Liberal Party announced that as far as he was concerned Darlington should be built. I would just like to know when Darlington should be built in terms of Liberal policy.



The NDP has been quite clear on this issue. We have said categorically, given the experience of the 1977, 1978, and 1979 and 1980 growth rates for electrical demand in Ontario, that for the province to be backing an investment which will in total, including heavy water, come up around the \$7 billion mark for capacity we will not be needing if we have a decent energy policy, Darlington should not be built. That money, that borrowing capacity of the province and the ratepayers of Ontario Hydro, should be used instead for investment in conservation—what we call energy efficiency—and for the development of alternative energy sources for Ontario.

I think it is important to note that it was the member for Brant-Oxford-Norfolk who suggested to us in December 1979 that we had better take a new look at the time framework for building Darlington and perhaps consider suggesting to the government that no more contracts be let on Darlington construction until it had taken a very serious look at that building program and the need for it based on the known rates for electrical demand. We did it, not as the member for Durham West suggested earlier, in a quick and hurried fashion. We had, after all, spent several weeks in the preceding spring looking at all the factors that led to Hydro's forecasts and all the elements that Mr. Higgins, the Hydro forecaster, had taken into consideration in making his forecast for electrical demand and building and forecasting base for Hydro's expansion program.

We spent a good deal of time on that subject earlier in the year. Then the member for Brant-Oxford-Norfolk suggested we should review Darlington. We did that. We did it in a very serious way. The figures we looked at were up to and including early figures for 1979. They impressed us again with the fact that Darlington was not going to be needed in the time frame Hydro suggested.

9:10 p.m.

They impressed me with the feeling that if, instead of simply accepting Hydro's projections of what electrical demands would be or in some places should be for the next five to 20 years, we should decide what demand we wanted to see in Ontario and developed policies to make sure that was the kind of demand we experienced—policies of energy efficiency and development of alternative sources of energy—then we could do that. In fact, we could very well have an electrical demand growth rate far lower than that growth rate of two to three per cent which

the committee felt was likely, given the circumstances as Hydro and the committee were looking at them in December 1979.

Instead of simply predicting what is likely, it seems time that in 1980 in Ontario we began the process which is well under way in the progressive utilities and the progressive states of the United States where the whole pattern of the provision of electrical energy by utilities, most of them private utilities, is changing. There is a very deliberate change in policy going on at the level of state regulatory agencies in the United States and also within the utilities.

It is a change in policy which is going to leave Ontario Hydro looking like the proverbial plant that has rundown equipment. It is going to be a utility that does not have modern up-to-date technology, that does not have modern up-to-date programs, that does not have modern up-to-date efficiency that will stand us in good stead in the years to come as we face new problems of energy planning in Ontario.

Ontario Hydro, instead of being one of the progressive utilities on the North American continent, is going to be outdated. It is going to be a very serious problem not only for whoever forms the government of this province over the next few years in terms of trying to manage with an out-of-date utility, but also for the ratepayers of Ontario. If we continue to follow programs which are retrograde at this stage, we are going to end up paying a very high financial and energy price for them.

The reports that are coming out of the United States late in this year from utilities, energy planning groups and government assessments are indicating that electrical utilities in the United States will be facing a much lower demand for electricity and that they are going to be changing the patterns of their programs. They will be away from high-capital-cost investments such as nuclear investments, and moving increasingly into the areas of energy efficiency and alternative energy sources which I mentioned earlier.

I would like to read a quote from Roger Sant, who is the director of the energy productivity centre at the Carnegie-Mullen Institute of Research in the United States. He was quoted in the New York Times over the last few weeks as follows: "I think what we have seen in the last year is probably the precursor to the eighties' much, much lower growth rate," said Roger W. Sant, director of the energy productivity centre at the Carnegie-Mullen Institute of Research.

'I suppose three per cent growth is now the conventional wisdom'"—not in Ontario it isn't—"but my guess is that it will still be quite a bit lower than that." That is from one of the top energy analysts in the United States.

There was also a seminar held in August this year at Sanford University which brought together representatives of government agencies, government planners, planners from state regulatory agencies and also utility representatives and planners in the United States. The symposium was held in April 1980, and it was centred on the topic "Energy Efficiency and the Utilities: New Directions."

I would like to read a couple of brief quotations from two of the participants in those sessions, because I think they relate to what we are discussing here tonight. The first is a comment made by Charles Luce, who is the chairman of the board of Consolidated Edison and who was speaking to the changing role of energy utilities. He said:

"It is said that when Thomas Edison invented the incandescent light his idea of an electric utility was a company that would supply not only electricity but a complete lighting service. Instead of selling only kilowatt-hours of electricity delivered to the customer's property, the utility would sell an illumination service installed on the customer's premises. Such a utility company, of course, would have a direct financial interest in the efficiency of that illumination. But as our industry evolved it supplied only electricity and its facilities stopped at the customer's meter. How efficiently the customer used the electricity delivered to his property by the utility was not regarded as the utility's concern.

"Today, the utility industry is moving back to Edison's idea, not thus far as a supplier of illumination but rather as an industry vitally concerned with how efficiently its customers use energy on their premises.

"Today electric utilities encourage the conservation of all forms of energy by offering energy audits that advise customers how most efficiently to insulate and operate their homes and businesses. If the customer needs credit to finance energy-saving improvements, the utility will arrange it. As soon as the law permits, many utilities, including Con Edison, will also contract to install such improvements on the premises of customers who desire such a service.

"In the future I am certain the services offered by a utility on a customer's premises will extend beyond those that are merely efficiency-oriented or energy-saving. For ex-

ample, when small solar or fuel-cell generators become economic as supplements to, or possibly even substitutes for, centrally generated electricity, electric utilities will offer to install and maintain such generators."

That just gives some indication of the role the chairman of the board of Consolidated Edison sees for progressive utilities—and these are private utilities—in the United States. If these kinds of policies can be advocated for a private utility by the chairman of the board of such a utility, it seems to me imperative that Ontario Hydro, owned and operated presumably for the benefit of the energy future of the public of Ontario, should be similarly progressive.

I have one more quotation from the same seminar. This is a contribution by Bernard Cherry, who is the vice-president of the General Public Utilities Corporation of Pennsylvania, or GPU. He was talking about the need to curb demand for energy in times when marginal cost of producing that energy is rising. He said:

"The utility industry has for the last 10 years been in a sharply rising marginal cost situation with regard to capacity. The industry's ability to survive the regulatory process, regulatory lag and, in some cases, regulatory response which has not been completely adequate, has been a function of the industry's ability to take advantage of short-term credit and borrowing capability.

"In the case of GPU, the reason we are having difficulties and that the company is in a perilous financial situation is that our short-term credit cushion has all but evaporated. We have had to use short-term credit to take care of purchased power costs which were not initially recognized as part of the regulatory process. We have also had to devote a substantial portion of our short-term credit to clean up efforts with Three Mile Island. There is a lesson there."

I want members to note that this is not simply a lesson he applied to a utility that had the kind of problems that arose at Three Mile Island. He said:

"There is a lesson there. In a regulated industry when marginal costs are rising, if there is an appetite not to pass on that full freight in the form of rates, at some point that balloon is going to break, and it is only a question of time until various companies around use up their cushion." Mr. Speaker, I suggest to you that is the path Ontario Hydro is on.

9:20 p.m.

He continued: "Finally, I think it is unfortunate that the utility industry has found



itself in the position of being perceived as champions for base generation. I think this has been true. It was the right thing to do in an era of declining costs. It is precisely the wrong thing to do in an era of increasing marginal costs. There is a very strong financial incentive for the utility industry to get into programs which decrease demand and which look to more dispersed investments—investments which have a very short turnaround.”

We are hearing these voices from the United States from people who have spent years, since 1973, looking at the need for change in policy on the part of utilities, both private and public. The Tennessee Valley Authority, for example, in the southern United States, is entering into greatly changed policies of the kind I am suggesting Ontario Hydro should be following.

It seems totally reasonable—in fact, imperative—that Ontario Hydro should be called upon by this Minister of Energy or by this government as quickly as possible to stop investing in heavily capitalized nuclear generation of electricity and to begin making serious investments in the kinds of programs and the kinds of initiatives we are going to have to have for the energy future of Ontario. If we do not do that soon, we are going to be into revenue problems in Ontario which will threaten to sink the financial viability and strength of that public corporation known as Ontario Hydro. That will be a shame and a pity, and the blame for that will fall on this government unless it can begin quickly to provide the kind of policy direction that Ontario Hydro desperately needs at this point.

I recommend to the minister the very minimal kind of recommendation we have made in the select committee. We should immediately prevent Hydro from letting further contracts for the construction of Darlington; take the 1980 demand figures for electricity as clear warning that events have gone even further in the direction we looked at earlier, in December 1979; and call upon this government to take action that will begin a new energy future for the province using Ontario Hydro as a reasonable and progressive tool for the creation of that energy future.

**Hon. Mr. Welch:** Mr. Speaker, I know there are several others who want to take part in the debate on this report, but may I be permitted to make a few comments concerning the report in terms of Ontario's energy situation and policies in general and electricity in particular?

As we have been reminded, the select committee made only one recommendation in its report tabled in the House in December 1979, and I think it might be wise at this stage, to help me develop very briefly my contribution to this debate, if I might read into the record the recommendation once again.

The committee recommended that the government of Ontario inform Ontario Hydro that no additional contracts for the construction of the Darlington generating station be awarded until the government has reported to the legislative assembly its policy for the construction of additional generating capacity in Ontario.

During the course of this discussion so far members have heard, from my parliamentary assistant in particular, the dissent of some members of the select committee. I assume we could agree that dissent sets out fairly clearly the responsibility of Ontario Hydro on the one hand and the government on the other. The Power Corporation Act passed by the Legislative Assembly of Ontario is quite clear with respect to this matter.

With regard to the government's advising the Legislature of its policy for the construction of additional generating capacity in Ontario, I suggest to members this evening that policy is well known. As members of the Legislature will recall, Ontario Hydro in February of this year issued its 1980 load forecast of 3.4 per cent annually to the year 2000. As well, in March 1980, in the light of the new load forecast, the Ontario Hydro board decided to stretch out the construction of the Darlington generating station over a slightly longer period. Again, that decision was made quite public.

I would like to recall for the honourable members the process by which the government gave its approval to Ontario Hydro's committed construction program, including, as it did, Darlington, published in the long-range policy paper of the Ministry of Energy released about a year ago. As members will recall, initial approval in principle for this program was given in 1973, and the final project-by-project approvals were granted during the period 1974-77. As honourable members will also know, under section 4 of the Power Corporation Act, the Ontario Hydro board of directors is responsible for the business and affairs of that particular corporation. Within the general approvals, and I underline “general,” because I think it is important to see exactly how the process works, within the general approvals granted by the Lieutenant Governor in Council under section 24 of that

act for the construction of facilities, it then becomes the legal responsibility of the Ontario Hydro board to decide on the exact scheduling of construction and the letting of contracts.

Beyond the committed construction program, including Darlington, Ontario Hydro has not requested any approvals from the government for additional generating stations. This government expects that Ontario Hydro will request such approvals when they feel it is timely to do so.

As I have already indicated in the policy document entitled Energy Security for the Eighties: A Policy for Ontario, which I released a year ago, as the members of the House will remember, targets for indigenous energy supply were established for the period 1980-95. These targets included, and I remind the members of this, in addition to the committed nuclear program, which was all set out there, additional hydraulic capacity and potential lignite fired generation. It is all in that document. Overall, and I underline this as well, an expanded role for electricity was foreseen. However, no authorization for additional generating capacity has been requested by Ontario Hydro and consequently none has been given.

Last week—last Friday, to be precise—I announced to the House new and tightened targets for energy consumption and energy self-sufficiency for the province. As well, I announced a number of programs in such areas as solar energy, alternative fuels and energy conservation, which I hope members will agree will contribute substantially to our meeting these targets. In energy terms, internationally, we are living in extremely uncertain times as recent events in the Middle East have made quite clear.

9:30 p.m.

It is the belief of the government of the province, that Canada, our country, must strive for crude oil self-sufficiency by the end of this decade. I am encouraged to hear the federal minister agree with this particular goal and indicate that he felt it was a practicable and attainable goal. Part of that obviously has to be substitution of other energy forms for petroleum products. That is going to play a major role in both the federal and the provincial off-oil programs. In the field of space heating, for instance, I expect many home owners and industries will choose to convert to electricity rather than to natural gas. I would emphasize here that both have a major role to play in our province.

Would you not agree, Mr. Speaker, that in this province, we are very fortunate, in addition to the natural gas option, to have a strong and vital electrical generation system, fuelled substantially from our own resources? Some years from now, as people read the report of this debate, we will come to appreciate even more the tremendous contribution of Ontario Hydro to the wellbeing of the people of this province.

In the light of the events that have taken place in the 10 months since this report was tabled in the House in December 1979, and in the light of these few comments to the Legislature tonight, I would like to suggest, with respect, that the concerns of the majority of the select committee members as expressed in the committee's recommendation have been satisfied. I would also suggest that the dissent of some members of the committee clearly sets out the respective responsibilities of Ontario Hydro and the government.

Finally, I would also like to suggest that the facts of the energy situation, which has changed so rapidly in just 10 months, underline the urgency of Ontario's producing more of its own energy. It is this urgent need which Ontario Hydro can and will do so much to fulfil.

**Mr. Nixon:** Mr. Speaker, I have a feeling almost of unreality when I listen to this debate and see the way it is being received by the Legislature and predict how it will be received by the public. Essentially, nobody in the House or out of the House gives a damn about this matter, but it may be the most important one we deal with all this session. We are talking about building a \$7-billion electrical plant, undoubtedly the biggest and probably the best in the world when it is eventually completed. I am one of those who believes it will be eventually completed.

As far as our party is concerned, we are simply talking about building that plant when its output is going to be required. From the information put before the select committee of this Legislature from the best sources, including the Ministry of Energy which, I say, is among the best but not the best, and Ontario Hydro, which also is among the best but not the best, we have come to the conclusion that the growth rate will not justify the continuation of the building of Darlington probably until another six or seven years have elapsed.

We are already indebted as far as Hydro is concerned in that the liability the province is responsible for is to the extent of \$4 billion. They are advertising another bond



issue, which is going to pay 13.3 per cent, to borrow some of the money that will probably go to the landscaping of the Darlington site. We are talking about an expenditure estimated to be about \$7 billion but which undoubtedly will be closer to \$10 billion in the dollars of the day if it is built on the timetable the minister is talking about.

We had the very best advice available. This is not the time for any usual complaint about it being also the most expensive but it was the best advice available. We had before the committee impartial witnesses from all over the world. Among some of the things that were put to us and accepted by the committee as facts were those things which the minister still persists in fuzzing. I quote from page E-29 of the report we are debating: "Both the Hydro forecast and the ministry projection show that electric substitution will not be a major factor. Hydro explicitly recognizes that oil and electricity are complements, not substitutes"—although the minister has just said the opposite with all of the definiteness of which he is capable. "[The] ministry shows that 'uncertain' oil future does not lead to more electricity." It's a very simple quotation. It is very flat and plain. It is not hedged or fuzzed by any clauses or possibilities. It just says it.

While the minister is suggesting that some plants may not convert to gas but may convert to electricity, and undoubtedly that is so, even the Premier—when he is trying to make some sort of a position out of the huge surplus of electrical capacity that we have bought and paid for and on which we are paying interest to New York at an average of 10 per cent—tries to make it into a virtue. He says, "Let's electrify the GO Transit system." Five hundred megawatts is all the electricity that could possibly be used by that rail system if it were electrified tomorrow.

It is just not practical for the minister to justify something that somehow he and his advisers feel is rooted somewhere in Tory philosophy. Everybody in this province is proud, not only of the accomplishments of Ontario Hydro but certainly also of the Candu reactor and the capability to produce electricity from that source.

I am not an anti-nuclear individual nor an anti-nuclear politician. People are aware of that. In some respects, I suppose I am like the farmer who would very much like to buy a \$100,000 tractor. It is great to drive around in and look at, and say, "God, I've got the biggest in the community." But I don't need it. And the government does not need

Darlington. That is the gist of this report. Some time we will and we can plan for it. But I would submit that the research that went into the development of the conclusions that are before us—and even the parliamentary assistant to the minister would have to go along with this—would indicate that growth of energy utilization does not warrant the building of Darlington on the schedule that the minister is talking about.

I drive past the area, down through Pickering and on into Darlington, and see that enormous site with the nine-mile fence around it. The high-tension lines that come into the site now go off into the distance over the horizon. Why they were built, I do not know, because there is nothing in them, I do not even know where they go. One can drive for miles and they are built throughout all the farm land—

**Mr. Cureatz:** That's not true. They are carrying electricity.

**Mr. Nixon:** My honourable colleague and good friend tells me that if you touch them, you will get a shock; so there probably is something in it. It probably comes in to run their Skilsaws or whatever they use to build atomic plants.

**Mr. Ashe:** Go try it.

**Mr. Nixon:** All right. But they are designed to carry the energy out of the place and to feed the grid, and it will be a long time before the energy is ever produced.

Somehow the debate is on the findings of a committee that did its work almost two years ago. That is part of the unreality, that we have been accused by the parliamentary assistant of hurrying the report. I thought it was outrageous that we took so long and delayed the report on the safety of the reactors and the electrical capacity as we did. I do not even know whether any other members of the Legislature have read the report. I reread it because one forgets it over that period of time.

But we spent eight intensive weeks of the kind of concentrated work that I do not recall ever doing, let's say, in a bachelor of science course at one of the major provincially assisted universities. It was a very concentrated period and extremely interesting. We fought and argued about the thing. Sure, part of the argument by some of the members was on the basis that no nukes should be built at all, and the ones we have should probably be closed down. I reject that and most of the committee did as well. We believe we have a nuclear future in the provision of energy here. But the idea that it is

going to replace oil and gas is so astonishingly naive that I find it frightening. The facts are completely opposite to that.

The government could even ignore the fact that we do not need it. They could say we do need the \$7 billion of investment to make jobs. They could say it was for some other reason, that we do need the \$7-billion investment to keep the nuclear industry in Canada functioning—and that argument has been put. If they were prepared to say they were going to cut our imports of oil from Alberta and embark on a program to heat with electricity across the province, then let them say so.

9:40 p.m.

There are many things associated with it that must be a part of the program. If Alberta suddenly turns the tap off on us and everybody rushes down to Canadian Tire to get a neat little electric heater for the bedroom and the TV room, we will draw into our shell. We will not be able to get electricity from these fantastic plants, many of them closed down and mothballed. We will not be able to get the electricity into our homes. The distribution system will not carry it and, if the government thinks it can just run a few extra lines around to compensate for that, it is once again naive. If it is talking about the utilization of electricity for this purpose, using up this fantastic surplus, that just cannot be done.

If they are prepared to embark on a five- or 10-year program to double and triple the capacity of the lines serving the urban and rural areas of the province to justify the building of Darlington, that is what we mean when we say the government should stop contracts until they are prepared to say to the House why we will need it. If, on the other hand, they are going to embark on a program of producing electricity here that we cannot use and sell it to the United States or somebody else, that is very interesting, if they want to do that. But that is obviously something that should be debated and decided right here. Every time it is mentioned there is quite a furore in the community on both sides of an extremely important position.

If that is the justification then, once again, according to the requirements of the resolution, the government should come to the House and say, "This is what we are prepared to do, and we are going to go ahead with Darlington." But to go ahead with Darlington because it is Conservative or something like that is nonsense. It is just appalling. We are talking about a \$7-billion investment, and obviously it will be much

more than that. It will be a world-class atomic reactor, probably the best in the world and, as far as I am concerned, the safest. We are not arguing about that. But the justification simply is not there.

I feel very strongly that the government is not considering the report as seriously as it should. When I was a part of the committee, I felt the recommendations brought forward by a majority would be debated here and voted on here. I understand the parliamentary system well enough to know that, even if the House votes a certain position, the government can thumb its nose at the House and go forward. But it would do so only at its peril; it has quite an armoury of things to soften the peril, and the advertising campaign from Hydro is one of them. That is why we are so frustrated when we see the position taken by Hydro in this circumstance.

As far as the load is concerned, my colleague the energy critic has already put it very clearly and, I would say, almost advantageously for the government, when he indicated that we only have a surplus of 4,000 megawatts. We have an additional 4,000 there as a cushion for safety above and beyond the single day's break in the year. That is one enormous cushion, probably worth \$8 billion. We are paying interest on that, and it all goes into our hydro rates.

If the minister were going to speak immediately, or if the Premier (Mr. Davis) were here, he would say we have the cheapest hydro anywhere, which is not quite true. Perhaps they would amend that, because we are sliding off that scale rather rapidly. But think of the advantage we could have had if the growth of our capability had been somewhere near the growth of our requirements. I cannot put it any more clearly than that.

We in this House on all sides are not prepared to abdicate completely our responsibility to the wizards at Ontario Hydro or even to the minister and his staff, capable and well-intentioned though they may be. Somehow there is a great block in the thinking and the decision-making capability in this instance which leads me to feel that somehow we are not communicating.

There is not a sense that this decision is an important one. I suggest to you, Mr. Speaker, it is going to be the most important decision that is taken. Somehow it is being taken out from under us. The minister is saying, "We have fulfilled all those requirements," when essentially the government does not accept the load forecast we have made as a committee and which is verified by the statistics before us. About the best the min-



ister can say is, "This is a situation where it is difficult to predict." We know that, but our predictions are as good as or better than the ones that have been dictating the policy in the past.

I would hope that the minister would be prepared to say, if he is sticking with the timetable they have, at present, what he is going to do with the power. Is he going to close Nanticoke because we will not need it? Nanticoke is one of the most serious sulphur-dioxide polluting plants anywhere, but it is still the most modern one we have. It is a huge plant. We paid \$800 million for it, and they are having a devil of a time starting it up, but it is going to be all right eventually if we spend enough money on it.

Are we going to say we are going to use the power to export to the United States? If the minister continues to say, "Isn't it great to have so much energy at a time when oil is expensive?" I would suggest to him that answer is simply misleading. It is not based on facts that have been presented from impartial sources but rather from those who simply want to substantiate decisions made in the past.

I call upon the minister and his colleagues to accept the report in the terms in which it was intended. It was intended to modify the government policy. If the minister has any respect for not only the opposition members but also his own colleagues, who even in their minority report have indicated that the growth of the load is not going to justify these decisions, he will use his undoubted power as minister to modify, at least in part, the decisions of Ontario Hydro which I believe are needlessly expensive and wasteful.

**Mr. Foulds:** Mr. Speaker, I am told I have 13 minutes left, and I would like to use those moments to try to summarize some of the thoughts that have gone into the debate thus far.

Very rarely do I find myself in agreement with the member for Brant-Oxford-Norfolk (Mr. Nixon), but on this occasion I certainly agree with many of the points he has made. As a layman on the committee, after I wade through all the technical data, I find myself sitting back and saying, "What does all that mean?" After I hear the arguments put forward by the parliamentary assistant to the minister and I find the argument put forward by the minister himself, which frankly I found very disappointing, I say to myself, "Somebody is missing something here."

The truth of the matter is that the cabinet of this particular government made a decision in 1973, because the Premier was bedazzled

by technology in the nuclear industry, to go whole hog into nuclear expansion. That legacy will come back to haunt us in this province, because it was the one time that the Premier of this province made a rash and irrational decision based on little evidence and little background about what our electrical capacity needed and about what the options were.

The fact is that this government has saddled the electrical ratepayers of this province with a white elephant and that white elephant, which is currently symbolized by the nuclear station of Darlington, is going to be the skinniest white elephant in the history of this province, because we are going to have to continue to stretch it out into infinity.

The second point I would like to make is that we talked about a provincial grid as if that really existed in this province. As a person who comes from northwestern Ontario, I resent that, because we have this enormous overcapacity that is centred on the eastern grid in these large nuclear installations in southern Ontario, and the government is going to build more of them, while we were warned a couple of weeks ago in northwestern Ontario that we are going to have blackouts. What the hell kind of provincial grid is that?

What we need is a little bit more capacity in northwestern Ontario and a heck of a lot less capacity in the eastern grid, or in southern Ontario. We need to give the businessmen and the industry in northwestern Ontario the same kind of break on commercial and industrial rates that they get in the eastern grid. The government fails to address that problem and, frankly, I resent that.

9:50 p.m.

The third point I would like to make is that the Minister of Energy got up and gave one of the weakest speeches he has given in a long time—and I admire this minister; he is a fighting and feisty kind of battler.

**Mr. Martel:** Even though he is small

**Mr. Hennessy:** Like a rooster.

**Mr. Foulds:** Right. Exactly. But what does he do? This fighting bantam rooster got up before the House and said weakly: "The policy was made and the decision was made in 1973. The actual project approvals were made in 1976. We cannot go back on that." He said: "The government has given the approval. We are going to take our hands off now."

Darcy McKeough, when he was Minister of Energy, did not have that attitude. Darcy

McKeough said to Ontario Hydro, "You beggars are not going to have any more than this borrowing capacity." Where is the guts over there to take on Ontario Hydro?

Hon. Mr. Snow: Don't worry about it.

Mr. Foulds: As a matter of fact, the thing that I find intriguing, I say to the Minister of Transportation and Communications (Mr. Snow) is that Hydro has more common sense on this matter than its parliamentary representative in the Legislature. Hydro has some business sense; it will postpone the construction of Darlington when it becomes self-evident that it is not needed any more, and it will keep postponing it.

The fourth point I want to make to the parliamentary assistant to the minister is that if he calls this overcapacity insurance, it is one of the most expensive kinds of insurance that we have. Does he know what it costs us? It costs something like \$2.1 billion for the excess capacity. That is one of the most expensive insurances we have.

There is something else. This government and the Premier like to rail against Alberta and Alberta heritage savings trust fund bonds, but they are willing to spend more on one nuclear installation, Darlington, than Alberta has in all of its heritage savings trust fund.

Mr. Ashe: You don't even know what they have.

Mr. Foulds: Explain that. As much could be put into an Ontario heritage fund by saving the money on the expense of hardware the Premier is bedazzled with, and we could build all of the alternatives we need, increase the hydraulic capacity and it would not be necessary to plug into his expensive grid. A number of small communities throughout northern Ontario could be electrified by building a small hydraulic generator that would supply a particular town and there would be no need to get into the expensive transmission lines.

Finally, I have only three or four more points that I want to make. The message of the select committee on Ontario Hydro affairs was a very simple one. It was that when we need additional building capacity, and when our forecasts show that we need to build additional electrical capacity, then let us build it. But our forecasts show that in southern Ontario we do not need additional electrical capacity.

The committee's recommendation was a very modest one. All it said was, do not let Ontario Hydro award more contracts that commit us more and more to a plant until it

has been stated what the program is going to be. It was a very modest conclusion. The evidence before us then, and it is not out of date, that we would have a modest increase of two to three per cent, has been borne out by what has passed since the committee came to that conclusion.

As the chairman of the committee rightly pointed out, we are now almost in a zero-growth period which was, interestingly enough, the pattern predicted by the model devised by Hydro's forecast. But then he flew by the seat of his pants with regional estimates, and there are some delightful quotations. I draw the members' attention to the afternoon sitting of the committee on Wednesday, February 28, when Larry Higgins, the chief forecaster for Ontario Hydro, called the final process after he went through all the model, which was very sound and very accurate, "a primordial soup." I said: "Is this the primordial soup that you deal with after your model? Is that what we are looking at, the entrails of a chicken?" Mr. Higgins said, "At this stage, I think largely." I ask you, Mr. Speaker, is that any way to develop a policy for electrical demand and therefore construction in this province?

One of the things the minister forgets when he talks about trying to get off oil and gas and on to electricity is that, even with our minimal and modest conservation advertising in Ontario, people find electricity easier to conserve than oil and gas. Very simply put, it is easier to turn off an electric switch than it is to get yourself into a car pool.

Electricity is a convenient and very interesting form of energy and, because of its convenience, it is one that is widely used. It is also convenient not to use it, and you can use it much more wisely than you can other forms of energy. I suspect we could conserve at least a third of the electricity we use very simply by turning off light switches, fans, humidifiers and air conditioners when we do not need them. We would still not suffer any loss of comfort or standard of living, but it is going to be a heck of a long time before we see electrified cars in northern Ontario or electrified highways.

I think the committee's recommendation simply makes a lot of ordinary, good common sense. I fail to understand why the minister does not endorse it wholeheartedly and why the parliamentary assistant does not endorse it without the cavilling that he has done. It is in fact a sensible, reasonable report. The very fact that it concentrates on one recommendation I think highlights and



symbolizes the importance of the report. I just do not understand why the parliamentary assistant, the cabinet, the Premier and the minister are so gung-ho to become nuclear and electrical imperialists when they themselves know that it is economic and political as well as social folly.

**Mr. Cureatz:** Mr. Speaker, may I say how pleased I am to participate in tonight's debate. It seems like Thursday night is Hydro night. I want to say at the outset that, unfortunately, I did not have the wonderful opportunity of sitting on the select committee on Ontario Hydro affairs when it was looking at the capacity of Ontario Hydro.

Notwithstanding that problem, I do have a couple of thoughts and concerns that I want to relate to the assembly tonight, not only as a member representing the province but, more importantly, as the representative of the wonderful riding of Durham East, because that is where the Darlington generating station happens to be located. I emphasize that to the member for Niagara Falls (Mr. Kerrio); that is why I am very pleased to participate in the debate for a few moments.

The adoption of this report's recommendation would have a serious economic effect on the people of my riding, one which the members opposite may not really appreciate. I would like to mention that this report is now almost a year old, and since then the timing of Darlington's construction has been lengthened. That decision was made by Ontario Hydro and not by this House. They reassessed their load forecast and subsequently adapted their construction program. This House is not in the business of producing electricity; that is the job of Ontario Hydro.

10 p.m.

I also have strong reservations about this report because I do not believe the members who signed the report took into consideration Darlington's biggest asset, that it is a nuclear plant and, as such, it is another step in removing us from expensive oil and environmentally difficult coal generation. If we do not finish Darlington now, the costs of building it later will be much higher and this will be reflected in the future of electricity costs across the province.

**Mr. Kerrio:** Let's build four more then.

**Mr. Cureatz:** I am always interested to hear the comments from the member for Niagara Falls. It was only a week ago that he stood up and indicated how proud he was to participate in a tender to establish a

nuclear generating station. Now here he is, tonight, criticizing the aspect of building a nuclear station. Is he representing the Liberal Party and trying to stand on both sides of the fence, for one day and against the next?

**Mr. Hennessy:** No.

**Mr. Cureatz:** No, he is not doing that at all. Thanks to the member for Fort William.

If Ontario runs low on energy in the winter of 1981 or 1982, the millions of dollars saved by not building Darlington now will not provide the heat, light and transportation that people need. Those savings might buy enough imported oil to see us through such a crisis, if imported oil is available. But I would like to ask the members opposite, what about the next winter and the one after that? Can anyone in this House accurately predict the effect the current Iranian-Iraq conflict will have on oil supplies? If we are caught in a crisis, the foes of Hydro expansion may graciously admit they were wrong. But that will not deliver the power, and that argument will not wash with the public. If Hydro errs, let it be on the side of the surplus, not shortage.

If this province spends money creating too much energy-producing capacity, that will certainly not be a calamity in this energy-short world. But if Ontario has too little energy capacity in the future, I suggest that will be a calamity. This House must realize if we are to meet these energy demands we are going to have to depend on plants like Darlington. The bottom line of this argument is that it is better to have too much power than not enough.

We are constantly reminded about the tragedies of an overbuilt system, but one thing I have learned as a member is there are always two sides to every story, and I would like to get this other side on the record. Unfortunately, it is a story that I feel has not often been emphasized. This energy surplus does have some benefits. How many other countries, provinces or states are in the process of conducting a similar debate? The answer is not many, because most are experiencing alarming energy shortages.

Ontario has a great advantage in competing with American states when we can assure potential investors of a guaranteed supply of electricity at reasonable rates. Many of those states cannot make that claim. I am very pleased with my government's initiative to reduce its dependency on foreign oil. Electrical heating should become cheaper than oil heating within two or three years and could undercut the price of natural gas by the

late 1980s. When that happens, a Hydro system that can meet the rising demand will save us millions of dollars. It will have been built at a rate cheaper than any possible in the future, and it should become the province's strongest hedge against inflation.

Finally, I want to make three other brief points as the representative for Durham East. First, I want to emphasize to this House that, in terms of local representation, both the regional municipality of Durham and the city of Oshawa, through their various councillors, have indicated support for the continued construction of the Darlington generating station.

In addition and more important, I want to emphasize that the local municipality, the town of Newcastle, which I know the Minister of Energy has been very fortunate in having occasion to pass through from time to time, has indicated strenuously that it is in favour of the continued construction of Darlington. I do not have to remind the members that approximately a year and a half ago Councillor Jasper Holliday, the local councillor for ward one, where the station is being built, made representations to the select committee, along with Councillor Keith Barr, who was then acting as mayor on behalf of Mayor Garnet Richard. They specifically indicated to the select committee on Ontario Affairs that Darlington and its positive impact on the community should be continued.

The final point I would like to emphasize to members opposite—

**Mr. J. Reed:** There are some things I need in my riding.

**Mr. Cureatz:** Listen to the member for Halton-Burlington. I want to suggest to him that as soon as we have an electrical shortage the first thing that is going to be cut is that wonderful Vicks coughdrop commercial where he is talking on the CB. Let him think about that while he is trying to make some other income on the side by making TV commercials.

Let me say to the members opposite that in the next election, be it this fall or next spring or whenever, I want them to suggest to their appropriate candidates to come out with a press release or at an all-candidates' debate and say: "Please elect me, because the first thing I am going to do is shut down Darlington." I want those candidates to go out to the Darlington site and to gather up what is now 200 employees—maybe by next spring it will be 1,000 and say, "Please vote for me because if you do I will guarantee your jobs will be terminated."

I want to emphasize that fact and to remind that to the member opposite who are always so concerned about industrial strategy and work in the wonderful province of Ontario.

**Mr. Kerrio:** Mr. Speaker, I would like to suggest to the member for Durham East (Mr. Cureatz) that, as usual, he goes off on a tangent and does not discuss the topic at hand. If we are to debate the merits of building Darlington to provide jobs, that should appear on the Order Paper. That is entirely a subject far removed from the subject matter at hand. When the member challenges any of us to stand up in that area and suggest we stop the construction, he makes a very valid point if he is talking about jobs. We are not talking about jobs. We are talking about the overbuilding of Ontario Hydro, and we should keep that in perspective.

If we want to talk about things just to print copies of Hansard to send them back to our constituents to show them what great people we are, keeping in mind the problems at home, we could do that from any side of the House.

The purpose of the debate tonight is to discuss a report that made a very valid recommendation to this Legislature. I will not pursue the areas that the very able members from my caucus have already made determinations of. One is our critic for energy and the other is the member for Brant-Oxford-Norfolk (Mr. Nixon). I will touch on a couple of areas that have some uniqueness in this debate.

The first one is that the government always hides behind the cloak of the integrity of Hydro, the mandate it has and the fact that it is its judgement that makes the decision. I do not know how many times various members are going to stand in their places here and suggest we curtail Ontario Hydro's involvement. One of the most powerful members of the assembly did it in a very simple way. It was exactly the way one would get one's wife to stop shopping. We would cut off the money supply. That is what Darcy McKeough did with Ontario Hydro, and it is such a simple and expedient way: If one does not have the funds, one cannot spend them. Let us not take away from the general public of Ontario the fact that this Legislature, the cabinet and the Premier through the Ministry of the Treasury and Economics, can conveniently do whatever it will with Ontario Hydro.

The only time they begin to tell us that is not the fact is when all members on all sides participate in some very valid critic-



ism of the direction that Ontario Hydro has taken. Then they throw to us the contention that the mandate was given to Ontario Hydro and we should not make it a political football. They say it should not be on the floor of this Legislature. That is not true. It is already here. The government has the ability to direct Ontario Hydro. We think we should insist on participating in that kind of debate. Here we are this evening doing just that.

10:10 p.m.

There are many factors about the involvement of Ontario Hydro that have not been discussed here tonight. One of the quarrels I have with Ontario Hydro—the point was made by one of the members from northern Ontario—is that they are suffering from what I call “Texas technology.” They insist that it has to be big to be better. I think Canada could have led the world in a different kind of technology. We could have been building smaller, more efficient units. I do not think wires would have been strung all over Ontario from these huge plants. I do not think there would be the outage if there were numerous small plants throughout northern Ontario and not so many lines. If one small plant went out, there would be a grid that could supply the others.

That has been a grave mistake, and it is not just my opinion. Many experts appeared before our committee who suggested that other jurisdictions with their smaller plants make use of the waste heat and every other conceivable byproduct of a plant that is smaller and more efficient in a given area.

The things that have not been touched on that are very dangerous in our society today have to do with what large corporations can do. That is, if they have a captive market—Bell Canada typically; Hydro is another—they can through huge expenditures of money create a market. Unfair as it may be, Ontario Hydro has that capacity here. Beyond their capacity and their mandate to generate electricity, they can go out and spend huge sums of money to attempt to bend people's minds towards their direction.

That is what some of the members try to do over there; they use the scare about cutting off the oil from Iran and Iraq, the scare tactics that talk about brownouts and blackouts. Certainly it is easy to defend their position, which is to say it is better to have more capacity. I would like to have four more bridges down at Niagara Falls instead of one, but we cannot afford them. It does not make any kind of sense. As the member for Brant-Oxford-Norfolk pointed

out, he would like to have four big diesel tractors. Many people would like to have another car in their garage. In the event they do not get their car started, wouldn't that be nice? Many people would like an extra television set.

This government has not had to face the responsibility that have to be faced by many individuals, many corporations and many businesses across the province. It is very easy to sell one's way, to stand up and say, “Would you cut off Darlington?” If it had to do strictly with generating electricity in the power grid as it stands, we would have no other option. We are tremendously overbuilt.

We have never addressed ourselves to any kind of efficient management of load in Ontario Hydro—none whatsoever. Every evening at exactly the same time, all the water heaters go on across the province to heat the water that is used during the dinner hour. That need not be. We could take the peaks and cut them up and put them into the valleys; we could do a considerable job if we were threatened, if it were borderline. We have never approached anywhere near that kind of problem. We could do all sorts of things to manage the load, to cut those peaks off and put them in the valleys.

These figures that are before us showing the extra capacity have been fudged in favour of the government and Ontario Hydro for years. They are really figures that are not fact, simply because there are so many other factors. What about the charges to Ontario Hydro? What about the fact that people are encouraged to use more hydro because the more you use the cheaper it gets? The dearest power in the province is for a little couple, retired on a fixed income, making their first cup of tea. That is the highest-priced power in Ontario. That is disgraceful, and it should not happen. We should not encourage people to heat their swimming pools with electricity. We should not encourage these people until the structure of charges were such that people would be encouraged to save electricity.

We have not made any steps in the direction of meaningful involvement with insulation. In Ontario today we still build homes with what used to be two-by-fours, which now have shrunk to two-by-three-and-a-half and may get smaller. If they take a wall of that thickness and put all the outlets around the outside walls, where do they put the insulation?

We have done nothing about the collection of passive solar heat. It costs nothing to

collect. We have done nothing along these lines that would reflect on the numbers that are before us that would cut this need without anyone in the province suffering. The government keeps suggesting that the people on this side would cut back on the quality of life. That is not true. We would not cut back one iota on the quality of life if we had done what was fair. There have been many things said by members of the government party that have nothing to do with the question before us.

The other point I want to make is about the involvement of planning. The parliamentary assistant talked about the difficulty of long-term planning and the ease of short-term planning. The fact that long-term planning is difficult goes back to the argument I made just a few moments ago as it relates to plants being of the magnitude that they cannot adjust in any kind of reasonable time.

If they need 10 or 12 years to design a plant in the system, maybe the plant size is wrong; maybe it is time they looked at more efficient, smaller units so that their planning did not have to be in the long term and they could address an increase or decrease in the very short term.

In that case, the excess capacity is not cheap insurance. I say that to the parliamentary assistant, because he made that suggestion in exactly that fashion, that extra capacity is cheap. I think the numbers that were put before us tonight would discount that particular involvement.

**Mr. Ashe:** Three cents a day per family.

**Mr. Kerrio:** That is not true, and the member knows it. Overdesign is as bad as underdesign because, if it were critical and it was near the mark, there are all sorts of things we could do to address ourselves to the problem.

The minister's comment as it relates to the subject matter before us certainly does not address itself to the fact—and I would like to read part of it into the record—that the committee has made only one recommendation. I think that recommendation speaks highly of the whole determination of the load forecast, and it would suggest that Ontario Hydro should be brought into line with the future development of the whole energy policy of the province. It should be one facet of the whole that the Minister of Energy should bring into focus, and it should have one particular function within that group of alternative supplies. The Minister of Energy should be able to bring it into focus.

10:20 p.m.

**Mr. Williams:** Mr. Speaker, I must warn you that I do not intend to take off my jacket or roll up my sleeves or to gesticulate or engage in any other type of theatrics this evening. Rather, I am going to present a clear, calm, rational presentation of the facts as they pertain to this report.

I was interested to find in the opening comments made by the member for York South (Mr. MacDonald) that he took a great deal of credit in proving the accuracy of this report as far as it dealt with the low growth factors of two to three per cent. He quoted the comparative factors of electrical supply growth during the first six months of last year as compared to this year and said there has been zero growth. He took great pride in the fact that this proved his report was accurate.

I can only say that is nonsense. What he did not do was acknowledge and give credit where it was really due. Credit should have been given to our tiny, perfect Deputy Premier and Minister of Energy who brought forward an initiative in this province with a new energy source that the people of this province finally have learned to accept and make use of: the energy conservation concept. It is because of that new initiative of our Deputy Premier and minister that we have had a no-growth factor in that six-month period. To suggest that justifies the accuracy of that report is complete nonsense.

My difficulty is that I had hoped to address this matter this evening in two sections. First, I wanted to indicate quite clearly to the assembled members that the dissenting point of view of the Conservative members is the accurate assessment that was made, albeit 18 months ago. Second, I wanted to address myself to the only recommendation made in the report as indicated in the minister's remarks this evening. What I will endeavour to do is condense what I was going to say in an hour into 10 minutes, if I can. It will be difficult to do but perhaps, if I took off my jacket and rolled up my sleeves and really concentrated on this, I could do it.

Let me first address the points made by the parliamentary assistant in his opening remarks in speaking to the dissenting decision in the report. I think it is made quite clear that our concerns as expressed in that report have been borne out.

As you will recall, Mr. Speaker, there were two points of concern expressed with regard to the uncertainty in forecasting. First, it was pointed out that it was premature to bring in the report at that particular time, because Ontario Hydro was coming in with



its new lower forecasts two or three months after the reporting date. Second, it was pointed out that the report of the Royal Commission on Electric Power Planning was forthcoming early in 1980.

Both those things did come to pass, and they both showed the error in the so-called wisdom of the majority report, which suggested that the low forecast increases would be retained at two or three per cent. In fact, the lower forecast by Ontario Hydro in February 1980 showed the forecast would be up to 3.4 per cent growth. The report also came forward from the royal commission in February of this year and, with respect, I would suggest we have a much more learned and in-depth report here. It has taken five years of preparation by the learned Arthur Porter, who pointed out in his recommendations that Ontario Hydro should base its system expansion plan for the future on a growth range for a peak capacity to the year 2000 of 2.5 to four per cent per annum. Both those learned bodies discounted the accuracy of the majority report contained in the December report of the select committee; so I think the wisdom of the dissenting opinion has been borne out by authorities other than ourselves.

I would like to come to the only recommendation in the report, which deals with the suggestion that no additional contracts be awarded for the construction of the Darlington generating station.

It has been interesting this evening to listen to the member for Brant-Oxford-Norfolk whom I have always considered to be one of the leading lights in the committee discussions. I always felt he brought common sense and clear thinking to the discussions. As an opposition member, he certainly has been an exception in this situation.

But I must take issue with him this evening for suggesting that we should not be building a \$7-billion nuclear power plant until we need it. That is the term he used: "until we need it." What he has overlooked, and what the members of the third party have overlooked, is the obvious. That is the fact that we cannot start building a facility of this magnitude, or planning for it, when it is needed. We have to plan much in advance of when it is needed, to be realistic.

The member for York South talked this evening about living in a dream world. I suggest that if anybody is living in a dream world it is our friends who are interjecting across the way at this time.

**Mr. Foulds:** Our forecasts showed we do not need it.

**Mr. Williams:** To be realistic, we know that in earlier times it took a minimum of five years to plan for, design and construct a nuclear power plant—they are massive undertakings—but at this time, because of increased public involvement in these considerations and because of greater environmental concerns, it has now stretched out to about a 10-year period. It is mistaken to suggest that when the need is shown for more electricity, perhaps in 1990, then we should start thinking about building this facility. It would cost twice as much if we delayed everything until then. Based on the 1980 dollar, it would probably cost three times as much. Instead of talking about \$7 billion, we would probably be talking about \$21 billion. Is that good planning? I doubt it.

The important thing is that from 1973 until 1977 only the design concepts got off the drawing board and were approved. We still have to get to the brick-and-mortar aspect, which will take at least another five years on a project of this magnitude. Even if the facility were completed a year or two in advance of when its total output was really needed after it was commissioned, we could well use those surpluses that might exist. I am not suggesting they will exist but, if they did exist, if we brought the plant on stream a year or two in advance. It would be far better than bringing it on a year or two too late.

That is precisely what would happen if we followed the irrational suggestions of the members opposite.

What we must do, and what this government has always been noted for doing, is long-term responsible planning, both financially and in every other way. That is what we intend to continue to do in this province. That is what our Minister of Energy is going to give us the leadership in doing. We will be assured that the Darlington project will proceed, notwithstanding the fact that the project has been stretched out to some reasonable degree. Nevertheless, the project will proceed. It will be completed in time to meet the future needs of the people of this province so we will be ensured that there will not be the blackouts and the brownouts that our Clarence Darrow across the way talked about so eloquently earlier this evening.

The minority decision of this report has proven only too true, based on the evidence that I have presented this evening and on what is happening in jurisdictions beyond our own borders where the demand for indigenous

power sources is becoming even more critical at this time. It will be interesting to hear our friend from Carleton East (Ms. Gigantes) get up a year or two from now when there are no sources of energy available to us to explain away why she was opposed to proceeding with our nuclear power plants and making available the indigenous sources of power in this province.

We, as a responsible government party, are not going to put ourselves in that posi-

tion; it would be an untenable one. It is easy to argue when one is not with the party in power and responsible to the people of Ontario, but we are and we intend to continue to act responsibly in this matter and to ensure that there will be a continuing supply of energy at reasonable cost to the people of Ontario from local sources.

Report adopted.

The House adjourned at 10:30 p.m.



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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Friday, October 17, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

FRIDAY, OCTOBER 17, 1980

The House met at 10 a.m.

Prayers.

## STATEMENTS BY THE MINISTRY

### PLANT CLOSURES AND TERMINATION ENTITLEMENTS

**Hon. Mr. Elgie:** Mr. Speaker, last Tuesday I advised the House of certain initiatives to deal with problems associated with plant closures and layoffs. Among other things, I said I would be announcing the appointment of a senior adviser with extensive experience in business and industrial relations to co-ordinate a variety of functions related to major plant closures.

I am pleased to announce that Mr. Robert D. Joyce has agreed to undertake this important assignment. He has been designated as my special adviser on employment adjustment problems. Mr. Joyce has a long and distinguished career in industry, with particular experience in industrial relations. For many years, he was associated with Canada Packers Inc. For the latter part of that period he was a director of employee relations and a member of the board of directors.

More recently he has been engaged in his own consulting practice in employee relations. He has also performed key assignments for the Ministry of Labour as a member of several disputes advisory committees. Since 1977 he has also served as a member of the Ontario Labour Relations Board.

In all of the activities he has undertaken, he has gained the confidence and respect of both labour and management for his integrity, fairness and objectivity.

Mr. Joyce will begin his assignment immediately, will be available on a part-time basis as required and will be supported by a full-time staff. As I mentioned in my statement on Tuesday, his tasks will include obtaining all pertinent information in respect of closures, assessing the possibilities of maintaining operations, assisting in the resolution of disagreements respecting termination rights and benefits, directing regional interministerial field teams established to

assist with adjustment problems arising as a result of closures, and reporting to me on the results of his efforts.

I cannot think of any person more qualified than Mr. Joyce to mobilize and co-ordinate our resources in order to ensure that every possible effort is made to control and minimize the adverse impact of industrial adjustments.

### CHRONIC CARE FACILITIES

**Hon. Mr. Timbrell:** Mr. Speaker, the statement I am about to make, I believe, has been distributed to the leaders of the opposite parties and the health critics. Other copies are coming, as soon as they are printed.

I am pleased to be able to table a study of long-term bed needs for Metropolitan Toronto, which has just been completed for us by the Hospital Council of Metropolitan Toronto. The report provides a very concise response to many of the myths and much of the mischief which have characterized some recent discussions about the hospital bed situation.

Stripped of its detail, the report states quite simply that there were more than 900 active treatment beds empty and available in Metro on the day the survey was taken; that more than 300 patients were in hospital beds when they should have been discharged home, and that at least 2,000 patients were receiving care in facilities which were not the most appropriate for their conditions.

The study confirms the policy my ministry has been pursuing over the past three years. It brings into sharp focus the need to provide more long-term-care alternatives for the people of Ontario.

The study highlights a problem which is not unique to Metropolitan Toronto, namely the inappropriate placement of patients within the health system. A major reason for this phenomenon is the changing demographic nature of our population. Our society is ageing, and as the birth rate declines and as more infectious diseases are brought under control, there are and there will be increasing proportions of elderly citizens requiring vari-

ous levels of long-term care, including chronic, nursing home and home care.

For three years now, my ministry has been attempting to increase long-term-care alternatives while avoiding the pitfall of merely adding on endlessly to the whole of the health system's resources. Thus, we have pursued policies of adding needed active treatment, chronic and rehab beds where there were insufficient quantities, while converting surplus active treatment beds elsewhere to necessary chronic use with the appropriate programs for the patients involved.

At the same time, we have added nursing home beds in various communities based upon locally conducted need assessments undertaken mainly through district health councils. We have expanded the home care program and added the chronic home care program with a commitment that this service will be provided province-wide within two years, and thus, we have initiated placement co-ordination services to direct patients to the most appropriate level of care.

To achieve this shift in emphasis within the system, two years ago we began working towards an average of 3.5 active treatment beds for each 1,000 persons in southern Ontario and 4.0 in northern Ontario. At the same time, we revised the old standard for chronic beds, defining the ratio of 11.9 per 1,000 residents 65 years and over as a minimum ratio to be achieved and to be exceeded wherever need was demonstrated.

This policy stimulated the move to realign services and beds within the system by encouraging conversions and so increasing our stock of chronic beds. Unfortunately, this policy also served to create the myth that we were attempting to cut back on all available beds. That is not the case. The truth is that over the last five years our total stock of beds—active, chronic, rehab and nursing home—has increased by almost 3,000 across Ontario.

The logic of our policies has been demonstrated consistently by bed-need studies in all parts of Ontario, which have indicated from 10 to 20 per cent of patients have been inappropriately placed in our system. Some are in active beds when they should be in chronic beds, and they are occupying spaces which should be assigned to those with serious acute illnesses. Some are in chronic beds when they should be in nursing home beds and so on.

Today, the Metro study again confirms the need to get on with the job of providing more long-term facilities. Much has been done in this regard already; in fact, in the

past 18 months 350 new chronic beds have been opened in Metro; 100 at the Queen Elizabeth Hospital, 100 at the Salvation Army Grace Hospital at Bloor and Church, and 150 at the West Park Hospital in Weston. Just last week a further 31 chronic care beds were authorized for York Central Hospital at Richmond Hill.

Members will also recall the recent approval of 210 beds at Scarborough Centenary Hospital, of which more than half will be for chronic and rehab patients; the additional 65 beds being opened at Etobicoke General Hospital, and 76 at Toronto East General Hospital. The new 200-bed Salvation Army Hospital in Scarborough will possibly include provision for chronic care beds when plans for that institution are submitted to my ministry next year.

I agree in principle with the major recommendations contained in the report; in fact, I have given immediate approval to invite proposals for an additional 300 nursing home beds for the Metropolitan Toronto area by the end of this year. These beds should be in use by March of next year. They will bring the total number of licensed nursing home beds in Metropolitan Toronto to 5,789, and we will continue to increase the number of extended and chronic care beds over the next five years.

10:10 a.m.

The HCMT report clearly shows what we have believed for a long time, that a large number of patients occupying costly acute treatment beds could be better served in less costly chronic and nursing home beds or with home care programs. I am pleased the study supports the actions my ministry has been taking in recent years and confirms the direction of our planning to provide an increasing number of long-term-care beds and programs in the future.

#### FOOD INDUSTRY PRACTICES

**Hon. Mr. McMurtry:** Mr. Speaker, I rise with considerable concern regarding comments attributed last week to the Leader of the Opposition (Mr. S. Smith) in response to the tabling of the report of the Royal Commission into Discounting and Allowances in the Food Industry in Ontario.

After the report was tabled by the Minister of Agriculture and Food (Mr. Henderson) the Leader of the Opposition, in criticizing the report, was quoted in the *Hamilton Spectator* as saying, "But you have to see that they appointed a bunch of Conservatives to the commission."



I recognize it is the duty of the Leader of the Opposition to oppose, to criticize and to offer alternatives. He is, of course, quite free to attack the report of the commission based on the content of the report or what he believes to be deficiencies in the content. However, I think it is highly improper and unfair for the Leader of the Opposition to place partisan political labels on members of the judiciary who perform a public service by conducting such inquiries in addition to their regular duties on behalf of the administration of justice.

The fact is that His Honour Judge Leach accepted this task on very short notice when his predecessor became ill and was unable to continue. The selection of Judge Leach was not made by the government but by His Honour Chief Judge Colter of the county court.

Judge Leach has a distinguished record of service to this country during the Second World War, as a lawyer, crown attorney and, for the past 18 years, as a judge of the county court in Haldimand-Norfolk. I know of no evidence to support the suggestion by the Leader of the Opposition that Judge Leach was motivated by political considerations or anything other than the task set out in the terms of reference of the commission.

The type of comment made by the Leader of the Opposition is resented by all judges and frankly, Mr. Speaker, seriously jeopardizes the availability of judges for future commissions since they understandably are not willing to take on such tasks only to have their independence challenged in such ways.

On behalf of the judiciary and on behalf of the administration of justice, I would ask the Leader of the Opposition to confine his remarks to the substance of the commission report and now to withdraw his unwarranted and irresponsible comment.

**Mr. S. Smith:** Mr. Speaker, I want to make it very clear that the member of the bench was not the person to whom I was referring when I made those remarks. It was the counsel, Rodney Hull, who conducted this whitewash. If Rodney Hull regards it as an insult to be called a Conservative, I can understand his feeling in this regard, but I call him that anyway.

## ORAL QUESTIONS

### CHRONIC CARE FACILITIES

**Mr. S. Smith:** A question for the Minister of Health, Mr. Speaker: How can the minister

stand in the House and tell us this report confirms the wisdom of his policies? The report makes it quite plain that after several years of pursuing an alleged shift from acute to chronic care, in point of fact the chronic facilities were not expanded nearly quickly enough while acute facilities were cut back. We are now left in a situation where 2,000 people are inappropriately placed in Toronto. There are hundreds more on the waiting list, hundreds on the waiting list for nursing home care in Hamilton and, according to the Metro social services report, even if home care services were provided, which they are not, we would need another 740 beds in Metro alone by 1981. Yet the minister's plans call for some 600 across the entire province. Why does the minister not accept that he has been found wanting in his policies, that his policies sound good but his implementation has been a disaster?

**Hon. Mr. Timbrell:** With respect, Mr. Speaker, that is not what the report says. The report contains recommendations for the next five years and I want to put on the record this morning what has been done in the last couple of years. By the way, we think their numbers are perhaps overstated and our staff will be working with those of the hospital council refining further. They are based on, as it were, a one-day snapshot of the hospital.

The report does not take account of the beds that have opened since May, so those beds have to be deducted; it does not take account of the more than 500 beds that have been approved for the Scarborough Centenary Hospital nor for the Grace L'Amoreaux Hospital, so those have to be taken off. When one adds the 300 nursing home beds I announced this morning—which I offered to approve six months ago and which I delayed doing at the request of the hospital council until they could finish their report—I think we are very much on track of what the needs are.

**Mr. S. Smith:** By way of supplementary and with the greatest respect, Mr. Speaker, the minister is talking nonsense. It is true it was a one-day snapshot, but since that one day, more elderly have arrived on the scene. More people also need beds. More people are occupying beds. That snapshot taken today might well give a picture that is even worse than the one given then.

I realize the Provincial Secretary for Social Development (Mrs. Birch) says a report that predicted the fact five years ago is irrelevant because it predicted it five years ago, but what about the report of 1977, of 1979, which told us exactly the same thing? If the 300

beds the minister is talking about are part of that 600 for all of Ontario, then surely he recognizes we are still going to have a deficiency in the thousands of beds.

**Hon. Mr. Timbrell:** Mr. Speaker, another snapshot view might very well find there are still 900 empty beds. They found there were 900 empty beds on that day and they found there were another 300 occupied by people who should have been at home. That is 1,200 beds, so the honourable member need not tell me it is all locked up. The programs are already approved for a new hospital in Scarborough and a major addition to the Centenary Hospital, plus the 300 beds. And that is just for this fiscal year.

I would remind the honourable member that we have in the last several years approved a great many nursing home beds in each of the fiscal years. We have added chronic care beds in a number of communities, such as the new Elisabeth Bruyere centre in Ottawa, such as in Sudbury with the chronic and rehabilitation beds recently approved. And the list goes on—Oshawa and so forth. Even if the honourable member accepted the figures as they are, and we think they are overstated, we are very much on track of what they are recommending.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Can the minister explain the rejection of the snapshot approach when the fact is, on September 24, just a couple of weeks ago, there were 650 patients on the waiting list just to the Providence and the Queen Elizabeth chronic care facilities here in Metropolitan Toronto? All of the announcements taken together that the minister has put forward today will not meet that kind of demand in just two chronic care facilities. The minister says he agrees in principle with the recommendations of the report, but refuses completely to comment on the fact that the report calls for 2,000 chronic extended care beds in 1980.

**Hon. Mr. Timbrell:** Mr. Speaker, the report does not call for them in 1980; it recommends them over five years. It recommends in the report that we begin in 1980 and we have begun.

Second, with respect, what they are recommending over five years is something in the order of 1,670 extended care beds and 398 chronic care beds. I again state that we are not rejecting the snapshot approach; it is a methodology that has its shortcomings. Having taken that snapshot which found those 1,200 beds either empty or occupied by people who should have been discharged,

they then applied certain assumptions about ageing patterns and so forth and came up with their figures. Even if the member took those figures with what has already been approved, recognizing they are talking about a program for five years, we are very much on line.

**10:20 a.m.**

The honourable member talks about the waiting list for various hospitals. I don't think one can take total waiting lists and say therefore we need that many extra beds, because one has to look at the waiting lists and look at how long they must wait.

They found that in May there were approximately 300 people occupying acute care beds who were waiting for nursing homes. We are meeting that right now. What they found in May we are meeting now with the advertisements that will appear in the next day or two in the local media calling for proposals for 300 nursing home beds. Next we will turn our attention to the chronic-care-bed situation, and I anticipate coming back with further statements in the next couple of months on that aspect of it.

We are not rejecting the report. We are not rejecting the methodology. We are just saying there are some shortcomings in it, it has to be refined. But we are very much on track.

**Mr. S. Smith:** Supplementary: With a list of people waiting for type two care, which is nursing home or special care in homes for the aged, a waiting list of 303 people in Hamilton-Wentworth right now, how many additional beds is the ministry putting in right now in Hamilton-Wentworth?

**Hon. Mr. Timbrell:** Mr. Speaker, we have approved 75 chronic care beds for Hamilton-Wentworth, which are coming on stream. A further 60 beds have been approved in principle for Hamilton-Wentworth and in the near future we will be finalizing the review of the extended care bed situation.

The honourable member earlier referred to "thousands." In fact, the cumulative total in the outstanding reports—and we've been cleaning them up very quickly—from the health council is nowhere near that number. I won't bore members with a litany. I will be glad to send him a copy of every one of the releases of the last six months to a year on all the additional chronic and nursing homes beds that have been approved.

**Mr. Breaugh:** Mr. Speaker, I want to question the minister on a statement he has just made about phasing in over a five-year



period. From my reading, on page three of these recommendations, the very first recommendation says distinctly and clearly that now, in 1980, there is a requirement for additional long-term-care beds of 2,070—now, in 1980. There is the document which the minister handed to me. It says over the next five years an additional need of a further 528 beds will develop, but it doesn't say over a five-year period, it says now.

How is it that there can be 900 empty beds, according to today's version of what is going on, but, according to Tuesday's version it's okay to leave them on stretchers in a corridor? Which set of snapshots is the minister using this morning?

**Hon. Mr. Timbrell:** Mr. Speaker, first of all let me just read the recommendation. With respect, the member is paraphrasing for his own purposes. The recommendation says: "That the Ministry of Health and the Ministry of Community and Social Services should provide immediate funding and program support for the development of the following additional chronic care and extended care beds in Metropolitan Toronto between 1980 and 1985, and that the beds be located with regard to geographic need within the municipality where possible." Between 1980 and 1985; they are not saying immediately.

**Mr. S. Smith:** If the minister is going to read something out in the House, he must surely read the whole thing in the proper context, Mr. Speaker, or else he violates our privileges. The very next paragraph says that for 1980, 2,070 beds are needed, and by 1985, a further 528. Let him read the entire paragraph.

**Hon. Mr. Timbrell:** The honourable member is trying to ascribe certain motives to me that are very unfair. The point is, that is the figure—

Interjections.

**Hon. Mr. Timbrell:** Don't give me one of your curt little whips of the hand, your snotty little releases. What they are saying is, that is the figure they believe we should be aiming at over the next five years, and in 1985 we go on from there. They are not saying to increase the number of beds by 10 per cent in one year.

**Mr. Cassidy:** On a point of privilege: There is a danger that the House has been misled by the Minister of Health, Mr. Speaker. I would like to bring it to your attention. Elsewhere, the report indicates that there is a deficit of 1,592 heavy nursing

beds and 365 extended care beds in 1980. That's not over five years. The need is there right now, and the Minister of Health is refusing to acknowledge it.

**Mr. Kerrio:** Mr. Speaker, the chief of staff of the Greater Niagara General Hospital suggested that in Niagara there is an obvious shortage of chronic care beds and I take no comfort from the news that the health council will conduct another study. He said, "I suggest a direct local approach."

Will the minister take that into consideration? In addition to the kind of study the minister has made here, will he look into those matters across the province where there is this acute shortage and will he deal with it in a direct fashion with those people who are close to the scene and could make the kind of recommendations that would look after the people who are very much in need?

**Hon. Mr. Timbrell:** We have found that by working through the health councils we can and do develop, and have developed, overall plans for each region, district and county in the province. It has worked very well.

Since we last discussed this in the House, I am led to believe the health council in the member's area will have its review of the long-term-care needs in the Niagara region completed within six months. Just as we have done in Ottawa, Sudbury, Halton and in any number of communities across the province, once we have an overall review of the total community needs—and when I say "total community" I mean Niagara's needs—then we can respond to it. We have been doing that.

#### HAMILTON SPORTS FACILITIES

**Mr. S. Smith:** I would like to direct a question to the Premier, Mr. Speaker, with regard to a subject I know is close to his heart and to the hearts of the people in my area. The Premier will be aware that Hamilton has an opportunity to obtain a National Hockey League franchise, provided it can have a proper arena. There are plans for an arena and trade centre complex, which I know the mayor has discussed with the Premier. He is also aware that to keep our Canadian Football League franchise we have either to add 10,000 seats to the present stadium or build a new stadium. Under these circumstances there are plans under way and the city of Hamilton has commissioned an excellent study.

Has the Premier reached any conclusion as a result of representations made to him by the city of Hamilton? Would the provincial government be prepared to cost-share on a matching basis with the federal government so that the senior levels of government could, taken together, match the municipal contribution so that we can proceed with the building of an arena/trade centre complex and either the improvement of the old stadium or the building of a new stadium?

**Mr. W. Newman:** Tell the member about the Argos.

**Hon. Mr. Davis:** I do not want to mention the Argos because the former leader of that great party (Mr. Nixon) was a little upset that I mentioned the Argos in another context. I am delighted to see that the new leader, for at least this interim period of time, is taking an interest in the Hamilton Tiger Cats. That is refreshing; it is revealing; it is new; it is different and not in character with his usual interests.

**Mr. S. Smith:** What does that mean?

**Hon. Mr. Davis:** You can think about it tonight.

**Mr. S. Smith:** Why should I?

**Hon. Mr. Davis:** Then do not think about it tonight. I do not care what you do tonight.

**Mr. Eakins:** How would the Premier like to think about it tonight?

**Hon. Mr. Davis:** No. Actually I have other plans tonight. I am thinking about Sunday afternoon.

**Mr. Martel:** When the Argos lose again.

**Hon. Mr. Davis:** Never mind. There is a little bit of history to this.

**Mr. Martel:** When did the Premier play for them?

**Hon. Mr. Davis:** I never had that degree of talent.

**Mr. Speaker:** Order.

**Hon. Mr. Davis:** I am being interrupted, Mr. Speaker.

**Mr. Speaker:** With great delight. Does the Premier have an answer to the question?

**Hon. Mr. Davis:** I certainly do. Everything I do in here I do with great delight—like you, Mr. Speaker; I take my example from you.

There is a little bit of history to this. I guess it was two years ago when I was personally approached by the mayor of the city of Hamilton with respect to the Pan American Games. The city of Hamilton had made proposals to the Pan Am committee, as I

recall it, to have the games situated in Hamilton. Out of that emerged some discussion with respect to the facilities at present situated in that community. It was clearly understood that the facilities at that moment would not accommodate the games. The province made it clear we would join with the city of Hamilton and the government of Canada with some funding to accommodate the games.

It was after that that the government of Canada announced, that is, the government of Canada now twice removed, that it would allocate a \$5 million commitment to the city of Hamilton. I think it included Quebec City, Winnipeg and probably Edmonton—I forget—for arena purposes. That was in the desire of the government of Canada to see the National Hockey League expand within this country. Hamilton evidenced some interest in that particular facility.

10:30 a.m.

It is fair to state, as we look at the situation, that Ontario has been involved in the convention centre in many respects without any federal assistance, if memory serves me correctly. The member may correct me if I am wrong. I don't live there so I wouldn't be as familiar with it as the member, but my guess is that they haven't.

The mayor of the city recognizes that under the federal policy where they have assisted with convention centres in some other communities, and are prepared to assist in future ones, perhaps there is some merit in getting some commitment from the government in Ottawa with respect to what they might have committed to the convention centre. I gather there is some relationship between this and the proposal now before the people of Hamilton. The mayor informs me there is almost total unanimity there. He tells me he discussed it with the member, that the member is totally in support of it, although perhaps not understanding—and I am not being critical—some of the implications.

I understand he has a commitment from all the NDP members in the caucus over there that they are prepared to see provincial funding flow in this direction. If the decision is made to assist, I just hope I don't hear from the member that we are not allocating money in some other place where he says there might be a greater priority. That is the question we face.

We are quite sympathetic. We understand the desire of the city of Hamilton. We would like to see a National Hockey League franchise located in that community. We under-



stand the desirability of improving the Ivor Wynne Stadium. I think it is clear in the long-term prospects of the Hamilton Tiger Cats, whoever the owner may or may not be, or what success they may or may not have, that the desire of the city of Hamilton to improve that physical facility is understandable.

My understanding is that the potential total cost of this facility is in the neighbourhood of \$80 million. I don't think there is any guarantee there will be a National Hockey League franchise. I only spent five or 10 minutes with the mayor yesterday and I am not really as familiar with all the details as he may be. I have been trying to recall some of this. I think the figure is about \$80 million.

**Mr. Breaugh:** Your answer is taking longer than that meeting.

**Hon. Mr. Davis:** It is a very important question to the members from Hamilton. I know this doesn't have great application in the city of Oshawa, but there are a couple of guys in the NDP caucus interested in this. If the member for Oshawa is not, if he is saying to me the NDP is totally uninterested in this, he should fight it out in his own caucus.

The question that has been posed to the government is, will the \$80 million be the upper limit? Will the government of Canada commit themselves to, say, 25 per cent? The mayor of the city of Hamilton has offered the municipality's commitment of 50 per cent of the \$80 million, which is \$40 million, which leaves \$40 million to be split between the two levels of government—\$20 million apiece. My impression is this would come in fiscal year 1982.

The proposal has been made to us. I have not had an opportunity to assess the details. It is being considered. The mayor made the request as of yesterday or the day before. Certainly we will be considering it and when we have come to a conclusion we will inform the mayor of that great municipality just what the position of this government will be.

I want the member to understand there is an \$80 million cost. There would be \$20 million from this government, conditional on the government of Canada participating, and I think in equity, probably some commitment from them with respect to participation in the convention centre.

**Mr. S. Smith:** Supplementary: I appreciate that the Premier is now considering the request made by the city of Hamilton and I

understood the 50-25-25 funding could be exactly what Hamilton is asking for. I didn't quite catch the end about the feds having to put something else into the convention centre. Surely it would be in lieu of what they might otherwise have done in the convention centre. The 50-25-25 would be fair.

**Hon. Mr. Davis:** I am saying there is a bit of a shortfall in terms of their policy—

**Mr. S. Smith:** That would be a way of making it up.

**Hon. Mr. Davis:** But not just the 25 per cent.

**Mr. S. Smith:** Oh, more than the 25 per cent. I see. I just wanted to be sure. Is the Premier saying that the province is now considering a proposal whereby the province might come in for 25 per cent of the funding provided the feds also make up 25 per cent of the funding? Or is the Premier saying the province would not come in for 25 per cent unless, in addition to the 25 per cent, the feds also come in with certain funds towards the convention centre? Is that what the Premier is saying?

**Hon. Mr. Davis:** No, Mr. Speaker. If the member was listening to me very closely, as he always does, and understood what I say, I didn't say that. I say, and I will repeat it—

Interjections.

**Hon. Mr. Davis:** I didn't say that.

**Mr. Breaugh:** I think you are giving him elocution lessons.

**Hon. Mr. Davis:** I will try once again if you will have patience with me, Mr. Speaker. I will try to say very clearly what we understand—this hasn't been finalized yet. A lot will depend on whether we are talking \$80 million in 1980 dollars or 1983 dollars, but that is the rough figure.

The mayor of the city of Hamilton has suggested that the municipality would fund 50 per cent of that cost. That, in my mind, leaves \$40 million. We are being asked to provide \$20 million, which is 25 per cent of the total. Is the member with me so far?

I made the observation that under the federal policies prior to this, they have made a commitment of \$5 million, which would not be a sufficient share in terms of what the city of Hamilton is planning. Quite obviously, it would have to be higher. We also think the government of Canada should treat all people in this country with equity, and they have provided funding in some other situations for convention centres. I have not said it would be a precondition.

All I am saying is that as we are sorting this out, I think it is only appropriate for the city of Hamilton, and we will join them, to suggest to the government of Canada, as they are reassessing what they are doing with respect to the possibility of a new football stadium, an arena, or whatever they wish to call it, for the Hamilton, whatever the name of the team is, to compete with the Toronto Maple Leafs et al, that this would be a good opportunity to balance the books with a cash contribution to the investment that the city has made and we have made in the convention centre. Is that abundantly clear, totally understood? I said to the mayor of Hamilton we will consider this request and we will get back to him some time within the next few weeks.

**Mr. Sargent:** Mr. Speaker, in view of the fact that we have just seen a \$15 million contract for the Canadian Football League from the breweries, why doesn't the Premier stoop his hypocrisy, pull up his socks and get with the times? The fact that we can't sell beer in our stadiums or hockey arenas across this province—

**Mr. Speaker:** That is a very interesting observation, but it is not a supplementary.

**Mr. Sargent:** They would not need subsidies.

**Mr. Speaker:** It really is not a supplementary.

#### NOTICE OF TERMINATION OF EMPLOYMENT

**Mr. Cassidy:** Mr. Speaker, this is a question for the Minister of Labour. I am sending a copy of a memo which concerns a particularly brutal twist in the layoff game which has now been experienced in Oakville because of the Ford Motor Company.

I would ask the minister if he will introduce amendments to the notice provisions of the Employment Standards Act to deal with the outrageous conduct of Ford at Oakville, because earlier this month and in the last weeks of September they recalled at least 50 laid-off workers, 20 of whom had jobs while they were waiting for the recall, and then gave them new notices of indefinite layoffs with absolutely no warning a few days, and in many cases just a couple of hours, after those workers had got back to work. What will the minister do and will he change the notice provisions of the Employment Standards Act to stop that kind of outrageous conduct by Ford?

**Hon. Mr. Elgie:** Mr. Speaker, I had not heard of the events the member has talked about. I thank him for sending a copy of this memo across to me. I would like to digest it before I comment on it more fully. I certainly will inquire into the layoffs he has referred to at Ford.

With respect to the notice of termination, I think I pointed out pretty clearly in my statements the other day that the concern this government has is that Ontario now has termination provisions which are comparable to and indeed better than virtually all states and provinces in the North American context. That is where this province exists and where its major trading partners are, and we have great concerns about altering those termination provisions in the face of that reality.

**Mr. Cassidy:** Supplementary: If the minister could concentrate on the particular problems of the workers at Ford, can he say how he can allow a company like Ford to tell an employee like James Rivers that he could expect steady work and then turn around and hand him eight weeks' notice when he had been back in the plant for five days? Why is that fair when that employee while he was on layoff had taken another job at \$9.50 an hour until he could return to work on a permanent basis? Does the minister consider that fair? If he doesn't, what is he prepared to do about it?

**Hon. Mr. Elgie:** Mr. Speaker, I have already made it very clear that it is not a matter of whether I consider it fair or not, but unlike what the member does sometimes, I am prepared to review it, investigate it, find out the facts and then comment on it. I repeat that.

**Mr. S. Smith:** Would the minister explain why he will not move immediately to close the loophole whereby if a legal strike is in place in the firm and the layoff or plant closure occurs, then no notice has to be given? Why would he not move to close that loophole?

10:40 a.m.

**Hon. Mr. Elgie:** Mr. Speaker, I have read the Leader of the Opposition's press release about that and I wonder if he has thought about certain aspects.

First of all, I wonder if he has really considered that if there is some suggestion, as there is in his statement, that a strike is being deliberately planned by a company in order to lay workers off without termination notice, then I would suggest to him that if



there is an implication of some impropriety in the strike or lockout, there is a remedy now within the Labour Relations Act that allows an application to the board for unfair labour practices.

On the other hand, if he is saying the whole concept of collective bargaining is inappropriate—and there may be some merit in discussing that—namely, that parties with economic interests and other interests are in an adversary relationship and that there is a termination of a contract and an inability to agree on a new one; if he is saying that in that state an employer should still be required to pay termination pay, then I think that is a new concept that is not present in any other jurisdiction. It is an interesting one but I think there are some problems with it. For instance, under the termination provisions, is he saying that they could give termination notice and require workers to come back to work without a contract to work out the period? There are some incredible things he has not thought about.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Perhaps I can give the minister another case to show just how tragically this is affecting workers at the Ford Motor Company. G. Capone, who was laid off on July 27 and recalled on October 6, was then given notice three hours after being back to work. He had to quit another job at de Havilland to come back because otherwise he would have lost 10 years seniority rights at Ford. Ford management can play with that worker's life, and this minister does not seem prepared to act to protect this worker or workers across the province from layoffs.

Will the minister talk to Ford and say that behaviour is unacceptable and tell them to desist from exploiting that loophole in the act until legislation can be passed in the Legislature to stop major corporations from playing with workers' lives the way Ford is doing at Oakville?

**Hon. Mr. Elgie:** Mr. Speaker, what I have said, and I will repeat it, is that I will review the instances pointed out to me and any others that the member may wish to bring to my attention.

**Mr. Mackenzie:** There is a whole slew of them.

**Hon. Mr. Elgie:** Just settle down. I know you have problems too. If I find there is an impropriety or something inappropriate, yes, I will speak to Ford about it.

## HEALTH SERVICE CHARGES

**Mr. Cassidy:** I have a new question, Mr. Speaker, for the Minister of Health. In fact, it is not a new question, because we have had to raise this question three times in the Legislature and have not yet had a satisfactory answer.

I want to ask the minister once again about the case of Bernard Kelly, the fellow who broke his arm in Windsor and was charged extra by the doctor, despite not having any notice in advance that he was going to be extra-billed. Since the minister told the House last November he would look at the case and see if something could be done, is the minister aware that Mr. Kelly has now been ordered by a small claims court in Windsor to pay the doctor the \$101.50 he was extra-billed for emergency services? Why has the minister's intervention failed and what is the minister prepared to do about this now?

**Hon. Mr. Timbrell:** Mr. Speaker, we tried very hard over a period of a number of months to mediate through the offices of the Ontario Medical Association in that particular case. That is a unique one inasmuch as we are dealing with a physician who is not a member of the medical association—I believe Dr. Yovanovich is his name. In that one case out of 60 million last year we were not successful in mediating, but it is one of very few.

**Mr. Cassidy:** Since the minister promised us in the presence of the brass of the Ontario Medical Association in March 1979 that, if doctors failed to honour the gentleman's agreement he announced at that time, patients who are not warned about extra charges will not have to pay them and that, if doctors failed to honour this, he would introduce legislation, will the minister undertake to introduce legislation now so that patients who are not warned in advance are not required to pay and are not put in the situation Mr. Kelly has been put in?

**Hon. Mr. Timbrell:** Last year, 60 million times services were provided to individuals in the province for which the Ontario health insurance plan paid a claim.

With respect, I do not think that one case, which we tried very hard to mediate and on which we were unfortunately unsuccessful, means we should turn the whole system upside down in a way that would have very serious repercussions for the whole health-care system for many years to come.

**Mr. B. Newman:** Supplementary, Mr. Speaker: Since Mr. Kelly acted on advice or information received from the ministry, is

the ministry prepared then to absorb the cost Mr. Kelly is being charged by Dr. Yovanovich?

**Hon. Mr. Timbrell:** We would have no authority to pay that under our legislation.

**Mr. Cooke:** Mr. Speaker, a supplementary: I wonder whether the minister is aware that one of the angles Dr. Yovanovich used with this particular patient was that a plate, that had to be removed from his arm in a second operation, would not be removed unless the \$100 was paid to Dr. Yovanovich. As a result this person had to go to another specialist and have another doctor operate on his arm. Dr. Yovanovich would not even do the follow-up work.

While this may be only one case, does the minister not remember telling me in this House and through correspondence that the agreement he had with the OMA would cover this case and that I was not to worry about it? Now the court case clearly indicates there is no solution for Mr. Kelly. How many doctors not only opted out of OHIP but opted out of OMA, thus increasing the possibility that this can occur to many other patients across this province?

**Hon. Mr. Timbrell:** First, this is a unique situation. Second, at the present time we have been successful in getting the rate of extra billing down to less than eight per cent in the province. I remind the member that no province has adopted the course of action recommended by the member in the last two years. We have been successful, through a revision to the fee schedule, in getting the opting-out down. We are confident we can get it down further in the next round of negotiations. In that particular case, we honestly felt we could bring pressure to bear through mediation efforts of the medical association on the individual.

If the member is telling me the doctor in question demanded payment up front, then I will personally contact Mr. Kelly to assist him in filing a complaint with the College of Physicians and Surgeons of Ontario, because right in the code of ethics of the profession in this province it is quite clear that demand for payment up front is professional misconduct.

**Mr. S. Smith:** He asked for payment of past bills; that's what he asked for.

**Hon. Mr. Timbrell:** It is the same thing.

#### SPEAKER'S ANNIVERSARIES

**Hon. Mr. McCague:** Mr. Speaker, I think this is a point of fact. Obviously the member

for Grey-Bruce (Mr. Sargent) did not know what today was when he said a few words to you a moment ago. I would like to point out to the members of the assembly that the Speaker started on the railroad 39 years ago today, he was elected to this Legislature 13 years ago today, and he was appointed Speaker three years ago today.

**Mr. Cassidy:** I would extend my congratulations to you, Mr. Speaker, and say that I am confident you will be sitting in this Legislature long after the government has faded into oblivion.

#### EXEMPTIONS FROM MINING ACT

**Mr. Bolan:** Mr. Speaker, in the absence of the Minister of Natural Resources, a question of the Premier: Is the Premier aware that as a result of an exemption order given this year under section 113(3) of the Mining Act to Silverfields Division of Teck Corporation in Cobalt, which is a feeder mine for the smelter in Cobalt, the future of Canadian Smelting and Refining Limited and its 42 employees is in jeopardy as of this morning? According to the vice-president of the refinery, they are actually sweeping the floors to get concentrates to put through the smelter.

Could the Premier tell us why this exemption order was given in the first place and what he is going to do about the fact that the plant is about to close? Is he prepared to review the exemption order with a view to lifting it?

10:50 a.m.

**Hon. Mr. Davis:** Mr. Speaker, I think the question of the exemption order has been discussed here in the House. If it is the same one I am referring to, I will consult with the Minister of Natural Resources (Mr. Auld) and have an answer to this question on Monday.

**Mr. Bolan:** While the Premier is consulting with the Minister of Natural Resources, would he also inquire about a conversation that took place between him and Mr. Ginn of the refinery on August 13, when the minister was informed that Teck Corporation had exported a 20-ton shipment of ore in November 1979, that the export was done without a licence and was an illegal export of ore? Mr. Jewett of the minister's office, when confronted with this, subsequently said the matter of the illegal exports was closed because it had happened more than six months ago. Since when are the laws of the



province of Ontario to be treated in such a cavalier manner by ministry officials?

**Hon. Mr. Davis:** I am sure the honourable member would be quite prepared to give me a copy of what he purports to be a conversation between somebody in the ministry and the gentleman named in the material he has written out in front of him. If he would be so kind as to send it across to me to assist me in determining the validity of what may or may not have been stated, I will endeavour to do this for him by Monday and I assume he will be here on Monday at two o'clock to hear the minister's reply.

#### SKF CANADA PLANT CLOSURE

**Mr. R. F. Johnston:** Mr. Speaker, my question is for the Minister of Industry and Tourism. Is the minister aware of the announcement yesterday that SKF Canada, a branch plant of a Swedish multinational, is closing its manufacturing plant in my riding and laying off 325 workers as part of a worldwide rationalization of its production? Has the minister been in touch with management and the union? What steps does he intend to take to make the company justify its actions and to ensure that their products will continue to be produced in Ontario and not imported?

**Hon. Mr. Grossman:** We are aware of that circumstance, Mr. Speaker, and discussions have been going on with the company for some time as we became aware of their problems. Our office is currently following up with the company to discuss other manufacturing alternatives for the facility, as it is large and fairly modern. At the same time, my colleague the Minister of Labour (Mr. Elgie) and his staff are working with the union and the company to look after relocation of workers wherever possible.

**Mr. R. F. Johnston:** Supplementary to the minister of global product mandating and de-industrialization: It sounds to me as though the minister is not going to take any more action. Is he going to take any more action with SKF than he has done with the other 12 Scarborough companies that have had major permanent layoffs in the last 15 months? Is he going to take the same action as he did to stop ESB from running away from my riding? Is he going to take the same action he took to stop Pilkington Glass from laying off 350 workers when it was buying out its major opposition in Europe at a cost of \$200 million? Or is he just going to offer us another \$30 plastic egg carton solution to this problem? It is not sufficient.

**Hon. Mr. Grossman:** I understand that it is politically convenient for the member to go back to his riding with Hansard, indicating that he blames this government for every lay-off and closure that occurs. However, the plain fact of the matter is that the company has problems. If the member has spoken with the employees out there, and I am sure he has, he will have learned that they know very well what the problems of the company are. Not the least of their problems is the fact that they supply firms such as Massey-Ferguson, which has had to cut back orders dramatically, and the decision made by one of their major customers, Pratt and Whitney, to split their sourcing—not to get it just from that company but to diversify it into several other companies.

In simple terms, those are decisions made by their customers which this government cannot control. It may be convenient for the member to talk as though we can simply order a firm to keep running, but he knows and I know that even in the places he loves, admires and respects, like Sweden, they cannot order companies to continue to operate to make products for which there are no customers. That is the case here; so why does the member not responsibly acknowledge that?

**Mr. S. Smith:** By way of supplementary, Mr. Speaker: Given that the minister feels he should not be blamed for jobs lost on the basis that those are consumer decisions, would he also agree then to stop these obnoxious ads he has on the radio in which he takes credit for jobs that are created? Would he admit that any jobs that happen to occur are not created at all but are also consumer decisions? It has nothing to do with any credit falling upon him. If he is not going to take credit for the job losses, why does he try to take credit for creating jobs when he does no such thing?

**Hon. Mr. Grossman:** The Leader of the Opposition hears what he wants to hear and does not hear what is there. If the Leader of the Opposition had listened to what that program was all about, he would have realized it did not say this government created those jobs; it said that increased demand for Canadian-made goods had created those jobs. That is what the ad says; it specifically acknowledges the statement the honourable member made, that consumer demand creates those jobs.

The shop-Canadian campaign, which was suggested by this government and adopted by the federal Liberal government but really given momentum by this government, is pre-

cisely the kind of import replacement campaign that supports Canadian-owned firms by telling consumers in Canada and driving home to them the importance of buying from Canadian-owned firms rather than from those multinational firms the honourable member likes to berate. In fact, our commercials are entirely accurate; they say "Support Canadian-owned companies." Canadian consumers are being given the message. We are not taking credit for those jobs; we are taking credit for driving home the message to the Canadian consumers.

#### AIR AMBULANCE SERVICE

**Hon. Mr. Timbrell:** Mr. Speaker, I would like to respond very briefly to questions raised in recent days, one, by the member for Sudbury East (Mr. Martel) about a case of a young man in his riding who was transferred from a Sudbury hospital to St. Michael's. I am pleased to say the awaited documentation has now been received and the family in question should be receiving a cheque for \$168.45 in the next few days to clear up that problem.

**Mr. Martel:** Supplementary, Mr. Speaker: Is the minister prepared to enunciate the policy clearly? Many of us are confronted with the same problem and are running into difficulties with the Ontario health insurance plan. If we got a clear enunciation of the government's intention, I think it might rectify some of the problems.

**Hon. Mr. Timbrell:** I believe we have done that in the past, but I certainly would be glad to do it again.

The member for Algoma (Mr. Wildman) raised a question concerning a lady from Mattice. The simple answer is that there is nothing on record to show that either the hospital or anybody else asked for an air transfer for the individual to go back to Mattice. There is no record at the hospital or in the ambulance services branch of who arranged the train transportation. The short answer is, I need some more information from the member. If he can get that to me—

**Mr. McClellan:** The minister might get it if he answered when the member was here.

**Hon. Mr. Timbrell:** Mr. Speaker, I wanted to get it on the record now so that perhaps the member could help facilitate it, rather than waiting longer.

#### OPP STAFFING LEVEL

**Mr. Ruston:** Mr. Speaker, I have a question for the Provincial Secretary for Justice,

since the Solicitor General (Mr. McMurtry) is not in the House at this time. Could the provincial secretary tell me what is being done to increase the staff of the Ontario Provincial Police throughout Ontario? In a nine-month period, 220 distress calls for emergency assistance were made to a small town with a six-man police force. Why cannot the OPP be staffed so they can look after their own problems?

**Hon. Mr. Walker:** That obviously is a question that has to be answered by the Solicitor General, Mr. Speaker, but I do know he is considering the whole question of complement.

#### MINE SAFETY

**Mr. Martel:** Mr. Speaker, I have a question for the Minister of Labour. Will the minister instruct his mine inspectors to go with the United Steelworkers' representatives and Inco officials to inspect the entire Stobie mine operation for bad ground conditions in view of the fact that seven tons of loose fell a month ago, 33 tons of loose fell from the ceiling on October 1, and there was considerable cracking and loose came down in the garage at the 1,400-foot level on October 2? Those are three different incidents in the one mine.

11 a.m.

**Hon. Mr. Elgie:** Mr. Speaker, if that has not been investigated already, I certainly will do it. But I am surprised the commission studying mine safety—can the member say if that was brought to their attention?

**Mr. Martel:** No. This has happened since.

**Hon. Mr. Elgie:** I see. I will bring it to the attention of both the commission and my own staff if nothing has been done to date.

**Mr. Martel:** Supplementary: Because several of the workers have already used Bill 70 to get out of conditions where this is occurring and because the company has refused to rectify this situation in the past several months, will the minister have his staff move immediately to ensure that the situation is rectified? If they discover that Inco has been deliberately avoiding the necessary repairs, is he prepared to lay charges against Inco before we have more miners killed?

**Hon. Mr. Elgie:** I will give a firm commitment to have it looked into. I think the member knows there have been several charges laid against a number of companies recently, and we have never been hesitant to do that.



## OMB HEARING

**Mr. Van Horne:** Mr. Speaker, a question to the Secretary of Justice in the absence of the Attorney General (Mr. McMurtry): In view of the controversial manner in which the Ontario Municipal Board has mishandled the Port Franks and Bosanquet township hearings—failing to show up for one meeting in August and then reversing the normal procedure at a later meeting in September—will the minister ask the Attorney General to take charge of this three-ring circus and call a special meeting of all interested parties so that a fair and equitable hearing can be held?

**Hon. Mr. Walker:** Mr. Speaker, I will certainly have the matter brought to the attention of the Attorney General, but I am sure it is being considered by him at the moment. I think everybody is embarrassed by the situation that occurred in Port Franks, when it is my understanding that several hundred people gathered for the initial hearing of the Ontario Municipal Board but no hearing officer turned up. It was the first time in history that has ever happened.

The chairman of the board, Mr. Stewart, was most apologetic and offered to have a hearing officer attend the very next day. It was just a straight human error of not recording the date to which the hearing was to have been postponed. That was the problem.

I also understand that the entire hearing is in a state of abeyance while the Ministry of Natural Resources had their entire conservation team in there attempting to find out what the problems are and attempting to straighten out the situation I think all of us should feel some embarrassment for the entire situation at Port Franks. I know the Ministry of Natural Resources is attempting to correct the matter as best it can. I know the Attorney General is looking at the matter and I know that the Ontario Municipal Board also is looking at the matter.

**Mr. Van Horne:** The Ministry of Natural Resources in a sense precipitated this whole thing some years ago when it sought compliance for environmental protection reasons; so they were involved, as well as the Attorney General. There was also the involvement of the Premier, who in August attempted to answer for this unfortunate missed meeting when he was in London, Ontario, and in southwestern Ontario, and was confronted by many of the property owners. Finally, there was the involvement of the Minister of Agriculture. As I said, we have either a three-ring or four-ring circus going on.

Now this minister is telling us that things have been put in a state of limbo. Would he please ask the Attorney General, who is the person whom I perceive to be the lead minister in this instance, to make sure that a fair and equitable hearing is held for these people?

Further to that, if there is expropriation demanded out of these hearings, will the government follow up with some form of support financing? If expropriation does take place, the township obviously is not going to be able to afford it. We must have a fair hearing, and we must have some indication what support the government is prepared to give.

**Mr. Speaker:** I think the question has been asked.

**Hon. Mr. Walker:** There is no question that a fair hearing will ensue. I am sure of that. I have no doubt of it whatsoever. As I understand it, the whole matter revolves around the question of the official plan in the township of Bosanquet. It revolves around the operation of the conservation authority which, as the member knows, is made up by and large of municipal appointees.

There is an attempt being made to sort out the matter. I can give the member an assurance that ultimately there will be a sorting out of the problem. But, at the moment, to say anything other than there is going to be a fair hearing would be incorrect. It will be a fair hearing. Of course, I will convey the member's concerns to the Attorney General.

**Mr. Speaker:** The honourable member for Welland-Thorold.

**Mr. Peterson:** I have a supplementary, Mr. Speaker.

**Mr. Speaker:** I think it has been adequately covered.

**Mr. Peterson:** I do not think it has been adequately covered.

**Mr. Speaker:** I think it has. The honourable member for Welland-Thorold.

## SPECIAL OCCASION PERMITS

**Mr. Swart:** Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. Does he now realize that his new regulations pertaining to special occasion permits are going to dramatically lessen the fund-raising of many ethnic and sports and other worthy community groups and, as a result, substantially damage these organizations and the communities where they are? Will he consider rescinding these regulations?

**Hon. Mr. Drea:** The answer to everything, Mr. Speaker, is no.

**Mr. Swart:** As a supplementary, I will ask the minister if he does not think there is a problem. If he does not think there is a problem, how does he explain away the interpretation of his own director of special occasion permits, Mr. W. D. Rolling, at a two-hour meeting of the Welland Heritage Council last Tuesday evening? Mr. Rolling's presentation so perturbed the 20-plus ethnic groups there that the president immediately wrote a letter to me which said, and I will quote a couple of sentences from it: "We would ask that you do everything in your power to bring to the attention of the Ontario Legislature that the new regulations as presented are totally unacceptable to the cultural groups because of the following: fund-raising is not allowed for sustaining cultural facilities such as halls; the price-fixing is unreasonable. The people most affected are legitimate community volunteers who shared the advancement of cultural activities over the years."

Will the minister take his head out of the sand and realize there is a problem and resolve it?

**Hon. Mr. Drea:** When dumber questions are asked, that member will ask them.

Interjections.

**Hon. Mr. Drea:** Just cool it. I draw the honourable member's attention to the Hansard reports on the procedural affairs committee where the member's colleagues were complimenting me and patting me on the back for the very intelligent approach I was taking to this problem.

**Mr. Breaugh:** Mr. Speaker, I want to object to that. There was no patting on the back and no complimenting going on. There were some questions and answers.

**Mr. Sargent:** A supplementary, Mr. Speaker. Since the minister is in charge of this phoney policy for the handling of booze—getting back to the point I was making when the Speaker told me to sit down—I suggest we would not need to subsidize the building of these sport empires if he had an intelligent approach to the handling of booze in the stadium situation. Why does he not smarten up and quit being so phoney on this very important issue in our community life?

**Hon. Mr. Drea:** In view of the policy of the Liberal party which is one of grave concern, particularly about breweries and their advertising policies, I do not understand why the member wants me to have the breweries

hustle sales in athletic stadiums to fund what should be a very orderly procedure. I am quite sure this government will do the right, proper and deserved thing concerning the sports facilities both at Ivor Wynne Stadium and in the proposed new complex in Hamilton.

I have told the mayor that I was quite sure we would do the right thing. The member has heard me say that. It is useless to ask a beer company to flog beer in an athletic stadium on the grounds that this will provide additional seats so that a city can have CFL football games. Quite frankly, I do not think any liquor policy in the world was ever intended to operate on that basis.

11:10 a.m.

## SECONDARY EDUCATION STUDY

**Mr. Bradley:** Mr. Speaker, I have a question for the Minister of Education concerning the secondary education review project. This has been termed by many in the field of education as one of the most important developments in the last couple of decades. The final report of the committee will have tremendous ramifications not only for secondary schools but also for elementary schools. In view of this, can the minister explain why there is such a lack of representation from the elementary school panel on all the committees that have been involved in this project?

**Hon. Miss Stephenson:** Mr. Speaker, there is some representation of the elementary school system within the committee structure. There are members of boards of trustees who are representative of both the elementary and secondary areas. There are principals involved who have had responsibility in the elementary area as well as in the secondary area. There are also parents who have students in both areas who are represented on many of the committees as well.

We recognize specifically that there will be some implications for the elementary system. The implications are probably very much greater for the other end of the educational spectrum, but we have attempted to provide for reasonable representation from that portion of the educational system within the province in this review. As a result of much participation at the symposium and the ability to submit briefs, we anticipate that the views and concerns of the elementary system will be dealt with by the steering committee and all the other committees of the review project.



**Mr. Bradley:** I recognize there will be symposiums and opportunities to submit briefs but, the important parts as far as the people in the education profession are concerned are the steering committee, the evaluation committee and so on.

In view of that, will the minister explain to us why there is also a lack of adequate representation of full-time classroom teachers? In so many developments that have taken place in the field of education, the one thing that is lacking is the views of the individuals who are on the front line in the classroom. Those who have been out of the classroom for a number of years and are in administrative positions are not in the same position as the classroom teacher to evaluate what is really required on a day-to-day basis in the education system.

**Hon. Miss Stephenson:** I am sure the honourable member is very much aware that the response committee or the review committee is made up entirely of non-educators because it was felt it was important that there be an external view of all this activity that was not directly influenced by active practice within the educational system.

There is also a design committee which is made up entirely of professional educators and which includes a number of full-time practising teachers. That committee is within the educational system. That is where the teachers are represented.

**Mr. Nixon:** A supplementary, Mr. Speaker: Does the minister know what the cost of this program is going to be? What are we paying the executive director?

**Hon. Miss Stephenson:** The executive director is seconded from the Toronto Board of Education. I do not know the exact figure at this time, but I will be able to get it for the member. The total cost of the study is approximately \$640,000.

## INTRODUCTION OF BILL

### EDUCATION AMENDMENT ACT

**Mr. Martel** moved first reading of Bill 173, An Act to amend the Education Act, 1974.

Motion agreed to.

**Mr. Martel:** Mr. Speaker, the purpose of this bill is to authorize the apportionment of school rates between public and separate schools in the case of a mixed marriage where the husband and wife own or lease rateable property jointly.

House in committee of supply.

## ESTIMATES, OFFICE OF THE PREMIER (continued)

On vote 201, Office of the Premier program:

**The Acting Chairman (Mr. Ruston):** I understand the Premier has the floor.

**Hon. Mr. Davis:** Mr. Chairman, I actually have another hour or so to contribute.

**The Acting Chairman:** I understand the Premier has about five minutes left.

**Hon. Mr. Davis:** I did not know I was restricted. I know the Leader of the Opposition is very eager to enter into this discussion. However, I did conclude what observations I felt would be helpful with respect to the constitutional debates that are going on. Of course, that was last Friday prior to the meeting of Premiers on Tuesday. I then moved into, although with a lot of interruptions, some discussion on a number of other matters I wished to raise, but I really did not want to monopolize the time of the House.

**Mr. Martel:** No, just in question period.

**Hon. Mr. Davis:** Listen, it is important, ask your colleagues.

**Mr. Martel:** It should have taken two minutes to give the answer. No one is diminishing the importance of it.

**Hon. Mr. Davis:** I thought it was a good answer.

**The Acting Chairman:** Order, please. I am listening to the Premier if no one else is.

**Hon. Mr. Davis:** That is right. I am delighted the chairman is listening.

**Mr. S. Smith:** I will be right back.

**Hon. Mr. Davis:** I will sit right down. I know where he is going. He is going out front again.

**Mr. S. Smith:** That's where you were.

**Hon. Mr. Davis:** No I was not. I do not have a habit of going out there every day, I really do not. I know, the member's public is waiting and he wants to rush out there to the TV cameras.

**Mr. S. Smith:** I will be back.

**Hon. Mr. Davis:** Oh, I know the member will be back. He should practice while he is out.

I just thought I would report very briefly, although I think the press has covered it fairly thoroughly, on the discussions that took place on Tuesday. The chairman of the Premiers' group, the Premier of Manitoba, called the meeting. Actually this was a result

of an understanding at the first ministers' meeting in Ottawa, where there was a decision that the Premiers would get together to discuss what might emerge, no one having any real idea what the initiatives would be of the government of Canada. So that meeting took place here on Tuesday.

I think the results of the meeting are fairly evident, although I found some aspects and some observations at the press conference somewhat intriguing. I think it is fair to state that unlike a few weeks ago, or a year and a half ago, there were a number of Premiers who were prepared to see patriation take place with unanimity being the approach until such time as an agreement could be concluded here with respect to the amending formula.

I was as factual with the press as I could be without betraying confidential discussions. I really sense that two or three provinces had really determined prior to the meeting that they would go the route of having reference to the courts. That does not mean there were not efforts made at the meeting to see if there were alternatives. I think it is fair to state it was suggested by some of us that, rather than the courts, the effort should be directed towards finding ways of improving or reflecting the concerns of the provinces with respect to the resolution presently before the House of Commons at the committee stage.

11:20 a.m.

What perhaps is not understood by everybody is that the debate in the House is not on the specifics, although it is being referred to. As I understand it, the debate is on referring the resolution to the joint committee of the House and the Senate, at which time there will be opportunities for presentations to be made on some of the wording or the details of the resolution itself.

I think it is evident from the now public points of view expressed by the Premier of Saskatchewan that in the interests of his province he has probably determined not to go the route of a reference and is anxious to see certain parts of the existing resolution clarified or improved. I gather from the morning press that Nova Scotia may not join in the references, and obviously New Brunswick won't.

I took a position for Ontario. While I have a great respect for the courts, which obviously fulfil a very important role, and while I think all of us want to be assured that what is being proposed is legal in that sense of the word, I did raise the question then, and

I raise it again here this morning, that even if one goes the route of references to the courts, if one finds that all or part of the resolution is not constitutional, where are we then? We are back to square one, if this goes to the Supreme Court.

With respect to some of the concerns being expressed by other Premiers and things they would like to see, we are back to a point where I do not know how those would be achieved. I guess our view is that we should be introducing our points of view to the joint committee. This province will have two or three suggestions to make. I think it is fair to state that we will have some suggestions with respect to the procedures or to the amending formula.

I was intrigued to find the number of Premiers who are now in favour of patriation. I did not want to remind them that some of us had made that suggestion a year and a half ago and received very little support for that proposal.

**Mr. Nixon:** I thought you were the only one.

**Hon. Mr. Davis:** I guess, being historically correct, you are quite right.

**Mr. Nixon:** I wanted to help you because I know how you hesitate to raise that matter.

**Hon. Mr. Davis:** I guess you are right. I was the only one.

**The Acting Chairman:** He is modest.

**Hon. Mr. Davis:** That's right, Mr. Chairman. You know me so well. I am very modest.

I would not presume to comment at all on whether these references will succeed or not succeed. My understanding of the law is that these references will be to the provincial courts. The procedure then would be to move from there to the Supreme Court of Canada. My impression is that even if there are references to the provincial courts the government of Canada will not delay the debate in the House, or the representations or the activities of the joint committee. My understanding of the law is such that they are not bound to delay while these references take place.

I did find it a bit intriguing to sense that some Premiers who have reservations about the courts relating an entrenched bill of rights now seek the courts as a way of determining some aspects. Even though we were urged to by others, I just could not share in these references. I felt at this time there would be no purpose served and that the best way to approach any improvements would be through the standing committee or the committee of the House and of the Senate.



I cannot predict exactly what is going to transpire with respect to the references. I do not know what time changes may take place. My own guess, and it is only a guess, is that the government of Canada will continue to proceed. It will be referred to the committee within the next number of days. It will be at that point that Ontario will have some suggestions to make, particularly with respect to the amending formula, as to ways it might be more acceptable and more understandable to a lot of Canadians across this country.

That is about all I can say in terms of what took place.

**Mr. Nixon:** I wonder if the Premier would permit a question before he leaves that subject. Did he say if the other Premiers make a reference to the provincial courts and then to the Supreme Court of Canada, then Ontario will appear at those hearings on the federal side and opposed to the position taken by the other Premiers?

**Hon. Mr. Davis:** I am trying to go by memory. Most of this was done at a press conference. I wish the Attorney General (Mr. McMurtry) was here, because I am going by memory, but I think I am right. We would have no status as a province in reference to those individual provinces on this issue. We could have status if it gets to the Supreme Court of Canada. I did indicate to the press not what we would be doing before the Supreme Court but that I felt it was highly likely we would be there in some capacity or other.

I have made no determinations because we do not know whether these references will proceed, although it is likely; we do not know whether the references then may arrive at the Supreme Court of Canada. My guess would be that if that does happen, we would be there. I cannot go any further than that at the moment, because we are speculating on what might happen.

**Mr. Renwick:** Mr. Chairman, there are a couple of matters I want to raise with the Premier in this area that are of concern to me. This is quite detached from the fact that the report of the select committee is going to be tabled next week and there will be an occasion reasonably soon, I understand, for us to spend some time debating that report.

There are two matters of concern to me and before discussing the two points—and I want to make them as brief as I can—I want to say I am going to take the liberty of going through, in my own strange way, with somewhat meticulous care, the resolution now before the House and writing

to the Premier, to the Attorney General and to the Minister of Intergovernmental Affairs (Mr. Wells) to let them have my comments, for what they are worth, on some of the not exactly legalistic but the wording problems I have, some of which are of substance.

One point of substance I want to draw to the attention of the Premier is that I would hope he would delete the alternative in the amending formula where it says in two or three places, “the Legislative Assembly or government” may do so and so. I think it is extremely important in this kind of world that we, in this assembly, not be faced with the government making a direct presentation to the federal government without having first come through the assembly to get a supporting resolution or approval of the assembly to the proposal.

That is a technical language change but it is also one of immense substance. In the resolution, in two or three places, I noticed this wording, “Legislative Assembly or government,” and I believe we would have the sympathy of the Premier to establish that this kind of change, the fundamental basis of it, should be through this assembly.

The second matter—and I say this because I know that, except under the strain of immense partisan politics, the Premier is basically fair about many of the matters that are before us—is that when we came back on Monday, October 6, I listened very carefully to the Premier on the question, in the early part of his remarks, about section 133 and whether or not our position or the position of my colleagues in the Liberal Party is different from the position which the Premier has taken.

I noticed again, right at the outset last Friday—and I was not able to be in the chamber last Friday—in his early remarks, the Premier again pointed up this distinction between the Liberal Party, the New Democratic Party and the Conservative Party and the position his government has taken about section 133.

Let me make a fundamental but what is, to me, a most important distinction. I would not, nor I believe would my colleagues in our caucus, have agreed to the inclusion in the resolution before the House of Commons in Ottawa of the application of section 133 to Ontario. I would have had the same resentment which I think the Premier would have had if that had appeared in there, because all the other overtones of unilateral imposition on the province of Ontario, of section 133 would be totally offensive to

the way in which we have dealt with these matters. That is an entirely different matter to this province willingly accepting it, to use your phrase, in the fullness of time, whenever that time comes. If you are saying no, never, then we are not saying no, never.

11:30 a.m.

We think in a very real sense this province is at least approaching, if not at the point, where a willing acceptance by the Legislative Assembly of Ontario of section 133 and its implications is probably an important part of our world. I am going to make only one reference to the work of the select committee under the distinguished chairmanship of the member for York West (Mr. MacBeth). While we had problems in the committee, we worked very hard to reach consensus, and I mean consensus in the real sense of that term and not just majority. We were unable to reach a consensus about section 133, even though a majority of the members were prepared to accept the spirit of 133. The softness of that term will go right home to the Premier and he will understand that.

It was coupled very clearly—certainly in my mind and in the minds of most of the committee, I believe—that there was an obligation on our committee to study the implications of what that means for the province. Some of us found it easier to say, “Well, let’s accept the spirit and do the study,” while others wanted to say, “Let’s do the study and be open on the question of accepting the spirit of it.”

The committee has been reappointed, and as it goes into the in-depth matters of what we call the task ahead, one of those matters will be to look at all of the implications for Ontario of the willing acceptance of the spirit of section 133 and, therefore, join Manitoba and Quebec, and in a very real sense, I suppose New Brunswick, as that group of provinces perhaps more closely related than the other provinces are to the French fact of Canada.

I made my remarks about the fairness of the Premier. I just wanted to understand that we would have been extremely opposed to the unilateral imposition of institutional bilingualism by the federal government in that resolution before the House. With an approaching election, I wouldn’t want for one moment to start to hear that phrase being used as though we were involved in that, because we as a party are not. We are quite prepared to think in terms of what our obligation is in Ontario. The voluntary acceptance

of section 133, or accepting the spirit of it, is quite a different matter than to say, “We would have liked to have seen that in the resolution or would have accepted it if it were there.”

I think it is extremely important, in what little attention I have had the opportunity to actually give to the resolution before the House of Commons, to note that a number of the matters are matters which had the willing agreement of the government and in a very real sense, a very substantial agreement among the members of the assembly. There is the entrenchment, if you want to call it that, of the equalization principle. That is not a problem for any of the parties in this House, as I understand it.

Similarly, the question with respect to French language educational minority rights in Ontario was part of what our Premier and the other Premiers in a very real sense had worked out when they met at St. Andrew’s by the Sea, if I recall correctly, a couple of years ago. The Premier’s agreement with the federal government means that he sees no real problems about the entrenchment of the things he has agreed to. Those were the two major immediate concerns for the purposes of these estimates, rather than launching into a long dissertation about the constitutional matters.

I would like to just add the footnote that I was delighted when the final outcome of what was obviously a matter of serious concern within the Ministry of the Attorney General, that is, the question of the entrenchment of legal rights in the constitution, was resolved in favour of entrenchment.

I read with great interest—and the Attorney General is well aware and I’m sure the Premier is well aware I don’t always agree with the Attorney General—the ongoing debate that must have been taking place about that question even as late as the end of August, as reflected in the speech which the Attorney General gave to the Canadian Bar Association at that time, where he was not talking about entrenching the so-called political freedoms or the democratic freedoms but was hingeing upon the kinds of problems the entrenchment of legal rights might require.

I had crossed that particular bridge quite a long time ago. If it needed any further crossing I had certainly crossed it at the time of the imposition of the War Measures Act 10 years ago. It seemed to me, regardless of the ultimate wisdom in the long run of legislative assemblies, they are so subject to the



passions of the times that actions which are arbitrary as against individual citizens do and can take place.

Without getting into the dry as dust argument that Premier Lyon tried to place, that somehow or other we are handing everything over to the judiciary, that isn't the way the process works. I think we are wise to say to the citizens that so far as we are concerned if they are detained under an alleged application of a law they are entitled to know why they are being detained and they are entitled to know promptly; they are entitled to be brought before a judge immediately to be told why they are detained.

It is not a question of automatic release because if the detention is lawful, whether or not everybody agrees with it, that is one thing. People talk about it as due process. I think the ancient term is a much better one: the habeas corpus proceeding must be available to every citizen. I shudder at the thought that the War Measures Act still remains on the books in Ottawa, without any fundamental protection.

Those are matters I'm sure I don't need to speak to the Premier about. I am sure he is well aware of my views, and I think probably he shares them. But I was pleased that the resolution was in favour of the entrenchment and that we didn't come down on the other side of that argument.

Those were the three particular points I wanted to make to the Premier this morning.

**Hon. Mr. Davis:** In reply to those comments, I appreciate having the point of view of the member for Riverdale on those matters. On the question of the entrenchment, which is a matter of rather deep theology or philosophy of the Premier of Manitoba in particular, I respect that point of view. I understand it. We have discussed it ourselves for a number of years.

It is fair to state that there are some Premiers who, on the surface, are less than enthusiastic, who were actually prepared to accept the entrenchment, certainly of a number of rights. But that enthusiasm was related to whether the government of Canada was prepared to give the offshore rights, for example, or go further in the field of communications. In other words, it was attached to what they felt they needed in terms of this negotiation.

I sense there may be some alteration to the wording of the principle of equalization. Two or three provinces may suggest that the new constitution be fairly clear on the principle of equalization, about which no one quarrels. British Columbia has some reservation; they

would like to see a different word than equalization. What some are concerned about—and this has just emerged in the past short period of time—is that there appears to be a conditional aspect to the phrasing in the equalization section whereby the federal contribution could be tied to specific situations. I am phrasing that in a very general sense but I would suggest that in my view when it gets to committee there could be some discussion on a refining of the wording in that equalization section, not debating it in terms of its principle, but with some altered phraseology.

11:40 a.m.

With respect to the legal rights, I would point out to the member for Riverdale that the Attorney General and the law officers in this province deserve some measure of credit. It is fair to state that once the decision is made, and this should be included in the charter, the government of Canada was quite willing to accept phrases, points of view or terminology to make it as proper or legal in principle as best they could. They did accept a number of suggestions from the law officers here, including the Attorney General. I just wanted to make it clear that we did have an opportunity to make a contribution. It is fair to state that a number of the suggestions made from this province were, in fact, accepted in terms of the present wording in that section.

As we go through this, I still think we should debate the suggestions from the select committee. I would hope that we could do it fairly early, because if the resolution is referred to the standing committee I expect it could happen within 10 days or so. I do not recall the exact timetable, but they want to get it there before the budget. I would like to think that for any further ideas that might emerge from either the select committee or discussions here in the House, or if there are some changes we feel might be helpful, we would be in a position to make these suggestions to that standing committee when it does convene.

I know what timetables we establish here in the House in getting reports in and work done. I know what the public timetable was in that leaked confidential document that caused a little flurry during the process in Ottawa. There is no doubt they would like to see some real progress made by the early part of December. I will certainly speak to our House leader and I am sure the other two House leaders will agree that we should discuss the report from the committee as early as we can after it is presented.

There are a number of things we could discuss. I know the Leader of the Opposition has a number of things. It is only a suggestion and in no way do I wish to limit it, but I really do have a number of things I would like say with respect to the economy, which some might disagree with, but they are not meant to be provocative.

**Mr. Di Santo:** Some people disagree? The whole world disagrees with you.

**Hon. Mr. Davis:** The whole world disagrees with me? I was in your part of the world.

**Mr. Di Santo:** The Ontario Economic Council disagrees.

**Hon. Mr. Davis:** Were you at the opening of Columbus Centre? Your leader was there. It was one of the great events. I met a number of your constituents. Your leader was sitting in the second row. The only thing he was a little upset about was—I try to refer to opposition members when they are present. I really do, except I made a mistake—I kept calling him Michael. He said to me afterwards, "Listen, if you are going to refer to me, please refer to me as Mr. Cassidy or Michael Cassidy. They do not know who Michael is." So I will take that as a suggestion.

I want to tell you, though, a lot of your constituents—

**Mr. Di Santo:** You are wrong.

**Hon. Mr. Davis:** Oh, no, some of yours were there. I will tell you it was a great evening, a great event. However, while I do not want to in any way limit this at all, I would be prepared to get to the economic part. I really would like to hear from the Leader of the Opposition on the constitutional part and perhaps then it will be understood if I come back to deal—not in detail—with some of the economic concerns that I have. I think it might pay to break it up in those two areas. If the Leader of the Opposition would like to make comments now on the constitutional part I would be delighted to hear them.

**Mr. Renwick:** If the Premier and the Leader of the Opposition would permit, I would like to just finish the comment I made. The Premier did not respond, and I would ask him to respond very clearly that he understands the distinction I made with respect to section 133. Secondly, when the House business is ordered and the report of the select committee comes before the assembly, I think it would be most helpful if it could be ordered in such a way that you, sir, and the Minister of Intergovernmental

Affairs and the Attorney General could make a point of being present when it is debated.

**Hon. Mr. Davis:** I am sorry, I thought I had replied to it. I do understand what the member for Riverdale was saying with respect to section 133. If the debate can be scheduled at a time when I can be here, I will certainly make an effort to do so.

**Mr. S. Smith:** Mr. Chairman, if I might just respond to the Premier's suggestion that we order the debate in terms of the constitution and then talk about the economy at some other point, I really don't think it is a particularly important request, but it is not one I am keen to accept. If the Premier will recall, the last time I was here listening to the Premier he spoke for, I would say, roughly half an hour on the constitution and then there was a half an hour when I could have responded.

Instead of permitting that to happen, the Premier took what is certainly his right to do and talked out the clock for a further 30 or 35 minutes—

**Hon. Mr. Davis:** No, with great respect—

**Mr. S. Smith:** Well, you did.

**Hon. Mr. Davis:** With great respect, I kept a very careful eye on the clock. I spoke for more than a half an hour on the constitution. I started at about 11:35 a.m. I ended my contribution on the constitution at almost exactly 20 minutes to one o'clock. We got into certain discussions that weren't totally relevant, I will confess that, but I would say the fact they weren't totally relevant was not my doing totally.

**Mr. Chairman:** I might just remind the committee, the usual procedure to consider estimates is that the Premier leads off with his remarks, then representatives from each of the other parties have the opportunity to speak, make general remarks, and then the Premier has the opportunity to reply to those remarks. I would suggest to the committee we should probably continue in that order at the moment.

**Mr. S. Smith:** I agree with you, Mr. Chairman. I sat and listened to what the Premier calls 20 minutes, I thought it was longer, but even if it were 20 minutes, I sat and listened to 20 minutes of commentary on a number of issues. I am very charitable to describe it that way. I came today and am prepared to listen again while the Premier rambles on a number of issues if he so wishes. I am quite prepared to allow the Premier of Ontario the right in his own estimates to make certain important statements that he



feels are pertinent and important for us to hear. I am willing to come and sit and listen to those.

However, when he finishes, I would like to stand up and have equal opportunity, as he was given, to range over a far and wide range of topics, some of which he may have touched on and some of which he may not have touched on. I don't see any particular reason to divide his estimates into a constitutional portion and a nonconstitutional portion when, in fact, he himself, after finishing his constitutional remarks, could have sat down and asked me then to comment, and I would have been happy to do so.

But he rambled. I permit him to do that. I listened with interest to his comments. He may speak on any issue he likes. When he is finished, then I will speak. I do not see any need to organize it by constitution versus anything else.

**Hon. Mr. Davis:** I don't want to be misunderstood. It is not a question of discussing the constitution versus anything else at all. I was really trying to be helpful. I know what the Leader of the Opposition is going to say on some of these other matters. I am prepared to listen to it as I did last year and I expect there will be certain rambling on his part as he covers these things.

All I was suggesting was some bit of focus, because I expect we will be debating some of these other issues for a period of time. I was really looking for the views of the Leader of the Opposition on this matter where it is happening day by day. I sense there may be some position taken by the Premier of Saskatchewan—who knows—perhaps early next week. It is not something remaining constant.

**Mr. S. Smith:** I will talk to you any time.

**Hon. Mr. Davis:** I was anxious for the members to express a point of view as well. However, I do not want it to be felt I want to limit the Leader of the Opposition in any way. I was really just trying to be helpful and to focus it, then come back to the other broader issues in terms of the economy. We have X number of hours. I enjoy my estimates. I am prepared to have an even longer number of hours, if necessary.

**Mr. Martel:** I am glad you said that. We will take you up on it.

11:50 a.m.

**Hon. Mr. Davis:** As long as you don't neglect your responsibilities to the other ministries, that is all.

**Mr. Martel:** We won't do that.

**Mr. S. Smith:** Mr. Chairman, I will go ahead now and address some comments on a number of topics, some of which will pertain to the constitution. I want to assure the Premier of this province that, in the first place, we have supported the stand he has taken in support of the position presented by the federal government. If he feels there is a new development or something where he would like to know whether he can count on the support of all parties in the House, I want to assure him that our loyalty to Ontario and our loyalty as Canadians is far more important than any partisan differences which emerge from time to time.

I wish to assure him that he can call on me. If he wishes it to be in the House, we can set aside time in the House and debate any topic related to this matter at any convenient time. He will have no difficulty with us in this regard.

The opportunity to address a few remarks is very welcome because this is certainly a very unusual time in the history of Canadian politics. Certainly it is an unusual time in the very brief time—although for the Premier perhaps all too long—I have been here. Finally, the Premier and I, who have been written up as having certain differences from time to time, agree on something. The Premier and I agree we both like my federal leader an awful lot more than his federal leader.

**Hon. Mr. Davis:** My position has been more consistent with respect to your federal leader than your position has been with respect to your federal leader.

**Mr. S. Smith:** I accept that.

**Hon. Mr. Davis:** I agree with him when he is right, I disagree with him when he is wrong. As for my federal leader, I am with him when times are tough, I am with him when they are good, unlike you.

Interjections.

**Mr. Chairman:** Order.

**Mr. S. Smith:** Certainly on this pleasant Friday morning nothing I have said should disturb the Premier to that extent. I hate to see him get that excited about something. He must be a trifle sensitive on the issue.

**Mr. Rotenberg:** Is that a professional opinion?

**Mr. S. Smith:** No, that is not a professional opinion about the Premier, not at all. I accept the fact he may well have been, over the years, even more enthusiastic about my federal leader, and especially nowadays, than I have been on occasion. I accept that, but

then again, the recent converts to enlightenment are always the most enthusiastic about their newly found faith.

**Hon. Mr. Davis:** You said that last Friday. I thought you would have a new phrase.

**Mr. S. Smith:** You've been known to repeat the occasional phrase in the House. You won't mind if I do so.

**Hon. Mr. Davis:** I do it regularly, but I didn't think you would follow me.

**Mr. S. Smith:** Your example has been so successful. Why should I not emulate it?

**Hon. Mr. Davis:** You should emulate everything I do.

**Mr. S. Smith:** I would, only I hope to add a little to it.

It really is interesting to see this new alliance that has occurred. I must say it has gone to proportions I honestly did not expect. I expected the Premier to support my national leader. I thought that was excellent. He did not do so in the last election, but at least he has done so now. Better late than never. He was supporting that community of communities man, Mr. Clark, through the last election and the one before that. But better late than never, he is welcome to the fold.

**Mr. Martel:** That applies both ways. Better late than never—you can decide to support your federal leader this year.

**Mr. S. Smith:** He did, however, take it a bit further than I expected. You must admit, when the Premier took it to the point of trying to divide the federal caucus, I really thought that went just a little far. I guess the only explanation for that is the Premier is a great believer in Tory tradition. There is no greater Tory tradition than greasing the skids under your national leader. This is one which goes back many years. By comparison with the attempt to split the federal caucus—and, by the way, we don't know yet whether the Premier has succeeded in splitting the federal Tory caucus—it would appear that Mr. Clark has succeeded in doing some splitting in the Premier's caucus if we are to take the comments of the member for Prince Edward-Lennox (Mr. J. A. Taylor) seriously. He said in the committee yesterday he disagreed with this federal initiative. Then again perhaps we should not take his comments seriously.

I really think that poor old Dalton Camp, whose efforts vis-à-vis John Diefenbaker have been much maligned, by comparison with the more recent efforts of the Premier, showed subtlety and restraint in his efforts. These are

strange times in politics, and in strange times, strange responses occasionally occur.

**Hon. Mr. Davis:** I have always voted for my national leader.

**Mr. S. Smith:** So did I. Let's get the record straight on that.

**Hon. Mr. Davis:** You were trying to tell a lot of people you weren't.

**Mr. Rotenberg:** You didn't support him in 1979.

**Mr. S. Smith:** I was not in Fort Lauderdale, I will tell you.

**Hon. Mr. Davis:** You were in Sarasota.

**Mr. S. Smith:** I know the Premier was doing his best to get the entire Tory vote of Fort Lauderdale behind his national leader in the last election.

**Hon. Mr. Davis:** There are more Tories in Sarasota.

**Mr. S. Smith:** There are more Tories in Fort Lauderdale than here, I suspect. There are certainly more in Fort Lauderdale than there are in the House at the moment.

**Mr. Rotenberg:** There are not too many Liberals here either.

**Mr. S. Smith:** I do see under the press gallery, however, a civil servant. I know the Attorney General gets very sensitive when you call anybody a Tory, so I would not dream of calling that civil servant, the secretary to cabinet, a Tory. I would never insult him by calling him that at all.

I noticed when there was some question as to whether the comments of the Premier were designed to split the Tory caucus federally or not that civil servant saw fit to make some statements about whether the Tory party was or was not united, a matter which one would hardly think to be of interest to civil servants of that nature. Frankly, I think he would be better to confine his comments to matters of cabinet urgency and relevance, and not make any comments on the state of unity in the Tory party.

These are interesting times, and it is an interesting question as to whether the next provincial election will somehow be based on the question of whether the member for Brampton or the member for Hamilton West is the more vociferous and sincere in supporting the national leader of the Liberal Party. It would be unusual to have an election based on that, but it is still conceivable.

**Mr. Rotenberg:** Who is Trudeau going to support?

**Mr. S. Smith:** Is the member for Wilson Heights asking a question, Mr. Chairman?



**Mr. Rotenberg:** I wonder who Trudeau is going to support.

**Mr. S. Smith:** I assure you he will be supporting the Liberal Party in Ontario.

**Mr. Rotenberg:** He has not helped you much in the past.

**Mr. Nixon:** That is not true. Sometimes he has done too much.

**Mr. S. Smith:** I recall when he landed by helicopter on the land of my good friend from Brant-Oxford-Norfolk. These are nostalgic memories. I must bring myself back to the task at hand.

I have a suspicion—I could be wrong about this—that the next provincial election will not be based on whether a Mr. Davis or a Mr. Smith is the more vociferous in support of Pierre Trudeau. I have a feeling after 37 years of one-party rule in Ontario that there may well come a time in the minds of the electorate when there will be certain other issues in which they will show some interest during the next election.

I think that overall there have been many occasions in which people have said it is not good for democracy to have one party in forever and so on, but they have always hesitated to change because of the thought that things are pretty good in Ontario. There has been a kind of reluctance over the years to change government, even though they sense that it would do the civil service good to be shaken up a little and that it would do everybody good to get some new ideas, to get some of the boards, agencies, commissions awakened and so on, but they felt things were pretty good.

The Tories have had this myth of being the managers. It is a myth of Tory management which over the years has kept this government in power. I would say the interesting thing is to see what has happened to that myth recently. That is the reason the polls are not looking so good for you folk over there any more. That is the reason that we did not have an election on October 23 as you were fully intending to do. What we find now is a party which does not quite manage the way it used to.

**12 noon**

I ask you how else to explain, Mr. Chairman, the goings-on at Minaki Lodge, to take an example of management. Here is a situation where the CN could not make a go of the place. They gave it up and an entrepreneur came in. He tried to make a go of it and got half a million dollars support from Ontario, which was reasonable—well they should have. He could not make a go of

it either. But these great Tory managers were not going to take a loss of half a million—no way, not at all. They decided they would put in \$10 million of the public's money to make Minaki a going concern and so they did. They put the money in and waited to see what would happen.

Lo and behold, it came to the attention, I am sure, of the Premier that no one was staying at Minaki Lodge despite \$10 million having been put into it. I am sure it took nothing more than the usual cursory investigation to find out the reason. The Premier, being as sharp as he is, discovered that, for the \$10 million, no bedrooms had been put in at Minaki Lodge. Here you have a wilderness lodge, hundreds of miles from the nearest city. It is a lovely spot, I have flown over it.

**Hon. Mr. Davis:** That is the mistake you made. You should have flown into it.

**Mr. S. Smith:** I would have done you two favours, I would have got rid of that white elephant for you as well as possibly injuring myself.

**Hon. Mr. Davis:** When you fly over these places, drop in and say hello.

**Mr. S. Smith:** I would have but I did not have a sleeping bag, and unfortunately there are no bedrooms in Minaki Lodge.

**Hon. Mr. Davis:** I have slept in a sleeping bag. It is a great experience.

**Mr. S. Smith:** I have no doubt you have. I have no doubt the Premier would like to camp up at Minaki and, in fact, many of us wish he would. But the fact of the matter is that they put in \$10 million and no bedrooms. I really want to know, were you expecting to attract the passing day trade through the wilderness? Were you hoping they would drop in for afternoon tea or something? Ten million dollars and no bedrooms!

Then these great money managers would not settle for that—not at all. They put an additional \$13 million—a province which allegedly does not have money to even buy hearing aids for deaf children. You don't, you know, you don't buy hearing aids even for deaf children. You had \$13 million to put into Minaki Lodge, bringing it to a grand total of \$23.5 million. We are told that once you take into account all the expenses and the interest, which any good businessman has to do naturally, and if the place goes at full occupancy and is the great smash hit of North America with every room always occupied, it will lose about only \$1.5 million a year forever. And this is all to create 60 or 80 jobs.

Mr. Premier, you could have made everybody in Minaki the winner of first prize in the Wintario jackpot and we still would have got away with a cheaper ride.

Hon. Mr. Davis: There is no interest in the northwest.

Mr. S. Smith: I wish you were right that there was no interest in the northwest but, unfortunately, the interest will amount to about \$2 million on that particular venture in the northwest.

Hon. Mr. Davis: You should go back to see what some of your predecessors said about Ontario Place. They gave some of the same arguments and look at it today. I dare any of you to stand up and say Ontario Place was a mistake.

Mr. S. Smith: The Premier would like some discussion of mistakes that have been pointed out. Let us talk about North Pickering and \$280 million. Here I must say I have learned something from the Premier. Look at my poor federal cousins, those poor chaps. Everybody knows of the story of the blasted Bonaventure. What a terrible waste, what horrible losses occurred. Everybody knows the story. It was an aircraft carrier that was going to be refitted. It was going to cost \$8 million, but cost \$14 million instead, and then it was scrapped. Right? Isn't that awful—six million dollars more and the loss of \$14 million. With the \$280 million in North Pickering we could have refitted the Canadian navy.

The government here is clever enough to rename it. First it was North Pickering, then it was—what was the next name, there was another name for it, which I have forgotten?

Mr. Rotenberg: Cedarwood.

Mr. S. Smith: Cedarwood, that's it. Thanks a lot, I appreciate it. The member for Wilson Heights remembered Cedarwood. Since people started hearing maybe that didn't smell so good, they are now calling it Seaton, which is kind of an unusual name that hasn't caught on with the press.

The same newspapers that had the Bonaventure across the front page in headlines two inches thick have never put the \$280 million waste of money in Seaton on the front page. The average citizen has never heard of Seaton, because the government keeps changing the name. It is clever. I can hardly wait to find out what it is going to be called in another couple of months.

Mr. Rotenberg: Stuart Smith Memorial Park.

Mr. S. Smith: It may well be.

Then we have Townsend, costing some \$47 million. If you go to see the place it is unbelievable. There they are in the middle of this huge agricultural area. Fifteen hundred homes are vacant in the surrounding municipalities and are for sale. All kinds of building lots are available in the surrounding municipalities.

There are no prospects for additional employees at Nanticoke—maybe a couple of hundred at most—but the bulldozers are flattening the land, digging channels, putting in water and sewers. They have booths to direct people there, and full page ads in every newspaper in southwestern Ontario saying "Come home to Townsend." Millions more are spent in servicing and publicity for a grand total of—how many houses have now been sold there, what is the latest? I was told 11 in March, 14 in June, and actually those are only options on lots. I think there were two houses sold in August, or something like that, and they are still putting millions into this idiotic venture.

That is not the only reason Tory management is now seen to be riddled through with vast gaping holes. Not far from Townsend is a place called South Cayuga, where a mere \$35.7 million has been spent. The amazing thing about South Cayuga—at least in Townsend some crackpot had the idea they could put a city there—is nobody knows why they bought it.

Apparently they took out options on the land in South Cayuga in order to somehow keep in line some speculators who had invested in Townsend, some developers who bought land there. To keep them clean they took out options in South Cayuga. Then they went ahead with Townsend and bought the land. It was all done and it is all over. Why in heaven's name did they act on the options in South Cayuga? Nobody understands that. They could have let them go. They didn't need the land for any conceivable purpose and they paid about two or three times market value in every instance.

The interesting thing we are going to find out is something about the way in which the deal was made in somebody's hotel room. One company was set up to do all the stuff under cover without letting them know a government agency was involved. The fact is the management is absolutely horrific. We are all looking forward to finding out how the cabinet, of which the Premier was a member, decided on this absolutely idiotic acquisition and waste of public funds.



Then, of course, we have Edwardsburgh, the industrial capital of eastern Ontario. Who can forget Edwardsburgh? A mere \$9.6 million—nothing to even trouble the Premier in his next meeting at the Albany Club. At Edwardsburgh they are now growing poplar trees. I don't mind growing poplar trees, but there are many people in eastern Ontario—I want to tell the Premier this, because I know he doesn't get there very often—who would be delighted to grow poplar trees for the government. In fact, there are many who tell me they can't get rid of the damned things.

**Hon. Mr. Davis:** Be very careful. Why would you refer to poplar trees in that manner?

**Mr. S. Smith:** Have you ever tried to dig one out of your lawn?

**Hon. Mr. Davis:** I have been asked a question, and the answer to it is yes.

12:10 p.m.

**Mr. S. Smith:** I suspect the Premier had a certain terminology he may have used at that time.

**Hon. Mr. Davis:** I went to school in the good old days where we had access to other terminology that didn't require that. I am wondering what the Leader of the Opposition has against poplar trees.

**Mr. MacDonald:** I want to congratulate the Leader of the Opposition. He is rambling even more than the Premier. He is doing a masterful job.

**Mr. S. Smith:** I appreciate that. Coming from the former leader of the New Democratic Party, I take that as a compliment. If anybody has had experience in touching on a wide variety of subjects and alighting on none of them, it has to be the former leader of the NDP.

I am fascinated watching this myth of Tory management disappear. Let's take a simple example. The Minister of the Environment (Mr. Parrott) goes around saying we have to recycle and we have to do things with our garbage and so on. This government gives millions of dollars to the Ontario Paper Company in Thorold, and that company is actually importing newsprint—waste, garbage. Recycled newsprint is being imported from Buffalo. That is incredible.

The government has known for years they were building this plant. Why didn't it start working to have the newsprint collected here? The minister said we are going to be collecting newsprint pretty soon. In the meantime, we are importing millions of

dollars of garbage from Buffalo. The whole thing boggles the mind. It staggers the imagination.

This is management?—to say nothing of the topic we discussed this morning of the thousands of people inappropriately placed in terms of the way we use our chronic facilities and our acute hospital facilities. Then we look at the way money is being spent and some of the decisions that have been made. I just want to touch on a few because they destroy the myth so beautifully.

We see the money being spent on the old age grants. Those are marvellous ads. Those really are. Ontario cares about its old people? Sure it does. That is why it is wasting \$3 million in forcing these people to fill out these forms. We have been busy in the constituency office trying to help these poor old people do it. Many of them don't even hear about it.

**Hon. Mr. Davis:** That is why we're informing them.

**Mr. S. Smith:** Sure. That is why you are informing them, of course. Do you know what this reminds me of?

**Hon. Mr. Davis:** Every single member of yours who has helped a senior citizen fill out those forms has said, "We take a little credit for this great program."

**Mr. S. Smith:** First of all the Premier creates an unneeded bureaucracy for \$3 million, where people have to fill out forms for nothing. Then he uses that to justify spending \$1 million to advertise his bureaucracy, saying, "Otherwise, how would they know they have to come and collect the form?"

It reminds me of the engineer who tells you he has a post in the middle of the street with a light on it. If you ask him what the light is for, he says it is so people will see the post and won't bump into it. Then when you ask what the post is doing there, he says it is to carry the light; how else does a light stand there? It amounts to exactly the same thing.

You didn't need your stupid bureaucracy in the first place. The \$3 million is just an effort to get the votes of those people going your way because you are afraid they think it is coming from the feds. You are spending \$3 million and you are getting all this wonderful activity on the television screen that says Ontario cares.

We don't mind these elderly people getting money, but the tragedy is why did the govern-

ment have to take away the \$110 from the people at the very bottom? That was very wrong and unnecessary. I don't know whether you are going to lose any votes on it, but personally it is something I resent very deeply. I want the Premier to know that. He didn't have to take that \$110 away from the poorest of our pensioners. It was not necessary.

**Mr. Sargent:** You lost my vote too.

**Mr. S. Smith:** He may not be kidding.

**Hon. Mr. Davis:** It would really make me nervous if I ever felt he was voting for us.

**Mr. S. Smith:** Then we see the advertisements for the Ministry of the Environment—the girl in the bathing suit, acid clean. We saw the person who pretends he is an engineer when he is not. We've seen all those.

I would like the Premier to answer when it is his turn to speak how the Minister of the Environment could say those ads are so partisan that he would actually have them taken off the air in the event of an election. Yet the people of Ontario are expected to pay for ads that are so partisan they would have to be taken off the air.

If they were merely neutral in giving people information they desperately require, who would have to take it off? If one is informing someone of where to get a vaccination or something, one would not have to take that off during an election. The minister admitted these were so partisan they would have to be removed from the airwaves, yet you spend the public money to try and advance your own private partisan interests.

But it is backfiring. Most people in Ontario are not as dumb as you think they are. Most people in Ontario have had an education and, to some extent, those are your policies. That is fine. But what you do not realize is that in giving them an education you now have a sophisticated electorate that knows a scam when it sees a scam. And that is what your ads are.

**Hon. Mr. Davis:** I am counting on them knowing something else that I will not say today. You are really not being bad today.

**Mr. S. Smith:** No, I am not being bad. I have not said anything personal about you today. I have not commented on your style of answering questions or anything of that kind. I think I have been very much to the point.

The matter of police is something the Premier has a great interest in as well. He even told the police chiefs that the NDP and Liberals were against the police and the

Tories were for the police. This is a statement so patently ludicrous that it occasions only laughter and was taken seriously by absolutely nobody.

**Hon. Mr. Davis:** Only the police.

**Mr. S. Smith:** No, give the police credit for intelligence. They know a silly political statement when they hear it, believe me.

**Hon. Mr. Davis:** They know a silly political position when they hear one—which is what yours was.

**Mr. S. Smith:** That is fine. I am sure they do.

But one of the silliest positions on policing happens to be a policy that the Premier continues for reasons that escape me. That is, if you are in municipalities that have accepted the regionalization concept you get \$15 per capita for police purposes. But if you are in a municipality which has had the good common sense not to go the regional route you get only \$10 per capita. I cannot understand that.

I can assure you that in the city of Windsor, just to take one example, the costs of policing are every bit as high as they are in, let us say, Waterloo. There is no conceivable reason why regional municipalities should get \$15 and other municipalities get only \$10. Surely, if you really cared about policing, instead of making fatuous statements saying that we on this side do not like the police, you would actually give them the money to pay the police and have a decent police force. The municipalities then would not have to tax the property taxpayers unfairly.

I cannot fathom how you justify giving \$15 per capita to Waterloo or to Durham and giving \$10 per capita to Windsor or to London. I just cannot fathom that at all.

**Hon. Mr. Davis:** I will explain that to you.

**Mr. S. Smith:** And I will look forward to to hearing it. But I can assure you they use just as much gasoline in Windsor. They have just as many problems, if not more, given their proximity to Detroit. And they pay their constables the same amount of money.

Then we have the university sector. Can you imagine that under the man who used to be the Minister of Education—did you have universities too? Yes, you did at one time. Universities were under Education at one time.

**Hon. Mr. Davis:** Can I help you?

**Mr. S. Smith:** Yes.

**Hon. Mr. Davis:** I would not want the universities in this province to feel they were ever under Education. The honourable mem-



ber has asked so I am going to give him the explanation.

**Mr. S. Smith:** Were they not all in the same ministry?

**Hon. Mr. Davis:** No. There used to be the university affairs committee chaired by a former Premier for a period of time. It, for a period of years, acted as that advisory group to the government. It reported to the Legislature, sometimes through the Minister of Education, on occasion through the Premier. It was in 1964 that a separate ministry was created to deal with the universities and colleges. So there were those two distinctions at one point.

**Mr. S. Smith:** I appreciate that information. However, the universities will take very little comfort from that historical analysis because they now find themselves being funded at a rate, per capita, tenth and last in Canada.

**12:20 p.m.**

It is all very well to say we shouldn't make comparisons with resource-booming Alberta or something like that, but we are making comparisons with every other province in Canada. There is no reason for us to be tenth and last, especially in a society that depends upon the universities to produce the managerial talent, the leadership, the research, the new idea that an industrialized area requires even more desperately than a resource area.

When the Minister of Education (Miss Stephenson) gives an answer that we should expect to spend less because our universities are older, that really boggles the mind. As far as I know, if you have an older plant you have to spend more on it because it is not as efficient; it is not modern, you have to modernize, you have to make repairs, you have to heat it inefficiently and so on. I have never heard it suggested that you have to spend more on a newer plant. Obviously if the plant is older—

**Hon. Mr. Davis:** If you look at the plants in this province over a period of years you will find—

**Mr. S. Smith:** I am not talking about a period of years, I am saying things were good in the province.

**Hon. Mr. Davis:** I am just trying to help you.

**Mr. S. Smith:** You were not elected by accident. I understand that. You were elected because things were pretty good in this province. But in the last several years they have gone rapidly down hill, and that is the prob-

lem. We are now tenth and last in economic growth, tenth and last in the funding of our universities per capita. There is no reason for that, except for the fact the economy has been mismanaged and the government equally mismanaged.

We have the whole education situation, billions of dollars spent on education, and both parties on this side of the House have been pleading for more skills training so that our industries will have the people they need. For five years the pleading has gone unheeded. We have had all kinds of manpower committees and commissions and everything else imaginable, but no apprenticeships.

Two young people from Sarnia called me. They had gone to community college for one year and wanted to go into apprenticeship. They could find nothing at all in the way of apprenticeship today. Yet, at this very time there are officials paid by the province to assist with the recruiting of skilled personnel abroad. How can you live with a situation like that and call it management? That is not fair to our young people, to just go slowly and hope some new, fancy sounding program will eventually produce it.

The Minister of Education tells the school boards they ought to do more about apprenticeship on the school boards. That is a bit of empty-headed advice. Who needs that kind of advice? The government should be making certain we have enough apprenticeship places right now. It is their responsibility to do that.

We find just one thing after another. The famous restraint program of the government really meant you shifted from 60 per cent funding of education to 50 per cent funding and, little by little, just raising the temperature as you would if you were boiling a toad in water, raising it little by little, by squeezing the property taxpayer, chiselling a couple of extra percentage points every year or so, you now have a situation where the property taxpayers have to pay a much larger share of the cost, while you go to Ottawa and masquerade as restraint people.

**Hon. Mr. Davis:** Have you boiled a toad in water? Have you done that?

**Mr. Ashe:** You do it on personal income tax.

**Mr. S. Smith:** It is marvellous to see the Premier go to Ottawa and tell them what they should do and what they shouldn't do. His is the government that told the government of Canada about two and a half years ago, I think it was, they thought the time had come to examine the indexing provisions, to just have another look at those.

When I challenged you in the House about two years ago and said: "Why are you doing that? Why would you want to look at them unless you were not satisfied, unless you wanted to make some change in them? If you are satisfied with them, you obviously wouldn't want to demand from Jean Chretien that they be looked at again." The Premier didn't have the courage to give the real reason, which was that he was suggesting they should be ended. That is what you were suggesting, but you didn't have the courage to say that.

Now I hear you saying you would be against any kind of ending of indexing. Frankly, I would be against it as well. But I give the Premier an opportunity today. If perchance the federal government fiddles with that indexing in any way to increase its revenues, you are aware that about 40 per cent or so of those revenues will come directly to Ontario. Do I take it that you are going to be one of those people that merely rants and raves against prostitution while living off the avails? Or are you prepared to say that any additional money that comes to Ontario by means of any such de-indexing would be returned to the people immediately by means of a tax reduction? You'll have an opportunity to say that. I would like to hear your position on that. I think a lot of people in Ontario would like to hear it. If you're so serious about that, you wouldn't dream of pocketing the dough that came by means that you disapprove of so severely.

We now find ourselves living in a country which has an \$18 billion deficit in international trade and manufactured end products. We are supposedly the engine of manufacturing in this country. What has happened, if you look around, is we are doing research and development in our manufacturing sector approximately equal, though granted a little ahead, to the R and D per capita of Egypt. We are virtually at the bottom of the industrialized world in R and D. It is easy to blame the feds, of course, and I blame them as well as you.

But this government is supposed to be standing up for Ontario. This government is supposed to be making sure we carry our weight in Confederation. This government, unfortunately, has blindly gone along with the business of attracting branch plants that have little intention of doing research and little intention of trying to find new possible openings around the world for Ontario-manufactured goods. It is, generally

speaking, quite satisfied simply to feed the domestic market and even then, if that isn't looking too good, it closes up.

For some reason, this government fails to understand that the only hope we have—and it is fast diminishing—of building an economy in Ontario that starts to carry its weight in this country is to take those small and medium-sized Canadian-owned enterprises, particularly in the high technology area, and give them whatever is required as a boost to get them to become world competitive enterprises. We are going to create jobs by having Canadian companies grow, not by having foreign companies establish branches here. I wish you could understand that.

**Hon. Mr. Davis:** You should have been with me the other day at the Xerox convention.

**Mr. S. Smith:** You're going to start the political game again. I know what you're going to say—the old greasy politics. Come and tell the citizens of such and such a town, where the only plant they have is a branch plant, that you want to shut them down, or go and tell the citizens somewhere else you are not going to help them get a plant from Germany or something, when they think that might help them in their desperate situation. Of course, it is easy to say that. Any two-bit politician can say that and frequently does.

**Hon. Mr. Davis:** That's not what I was going to say. If you didn't get excited—

**Mr. S. Smith:** I am getting excited about this. I wish you could understand. Fortunately, you won't have to understand, because in another six months it won't be your job to worry about it. People may not understand as a whole that it isn't a great boon to have a foreign branch plant locate in their town. They may think it is a great thing; the industrial development commissioners want it; the people think it is terrific. They are scared to death at the notion that when there is talk of nationalism the plant may shut down. I understand the politics of it, but I would like to see the Premier get above politics once in a while and understand that our only hope is to get the entrepreneurs of this country and the small businesses to become world competitors, and not to block them out by more and more foreign takeovers, more and more foreign branch plants.

You put out those disgraceful egg cartons and those disgraceful glossy books which cost \$300,000, if you include the profit cen-



tre one, to bring in more foreigners when we need to develop our own businesses.

12:30 p.m.

**Hon. Mr. Davis:** I regret you were not there at Xerox. Xerox has established one of the most significant research centres—right out in Sheridan Park—partly because of the intervention of the government. A number of people are involved who are related to that university which I happen to think is great, McMaster. You knew one of them; he used to curl with you.

I just gave that as an example of what is happening. Some of these multinationals are establishing research and development. It was a very significant step on the part of Xerox. You may disagree with it. I was saying it in a very positive sense. I was not saying, "Go and visit Xerox in Mississauga." I said, "Take a look at the new research and development facility." The head of Xerox International is a former Haligonian, a graduate of Dalhousie and Osgoode Hall.

**Mr. Sargent:** He is out of order.

**Hon. Mr. Davis:** I just did not want you suggesting that I was interrupting with something about the multinationals in that negative sense you were referring to.

**Mr. S. Smith:** Honeywell also does research. There are definitely examples of multinationals that do research. There are plenty who make a significant contribution; that is correct. But taken as a whole, you should not be spending money attracting more branch plants. You should be spending money making sure our own industries grow. That is the mistake you do not seem to understand and you keep making.

**Hon. Mr. Davis:** You have tunnel vision; you look one way. You have to do both, you really do.

**Mr. S. Smith:** I see what is happening. At \$18 billion we are not going through a tunnel; we are going down a hill. One of the reasons we have so much difficulty now in terms of the constitutional discussions and one of the reasons we seem so isolated is that there is sort of an unconscious feeling in the rest of Canada that somehow we like to live well even when we are not paying our own way. There is this general feeling that although we now are largely responsible for an \$18 billion deficit in manufactured end product trade—

**Hon. Mr. Davis:** That is total utter nonsense.

**Mr. S. Smith:** You may call it nonsense, and I will listen with respect as I did the

other day. But any country that has an \$18-billion deficit in manufactured end product trade, and depends only on shipping out raw resources to try to balance that deficit to keep the country afloat at all, is going to have a tremendous amount of tension between its manufacturing area, which is letting the country down, and its resource area, which is keeping the country afloat.

One of the problems we have in this country is that by failing to carry our own weight in Confederation, we are being looked at as guys who got used to having it our own way. We have this image in the rest of the country of people who do not really want to do what is necessary to get things moving again, but who just want to continue living on the resource wealth of others. It may not be true, but it is the perception.

**Hon. Mr. Davis:** Don't minimize the resource wealth and exports from this province.

**Mr. S. Smith:** I do not minimize them at all.

**Mr. Martel:** It is the north that is being exploited.

**Mr. S. Smith:** The comments of the member for Sudbury East are correct. Go to northern Ontario and see how they feel about the fact that their resources are being exported, so that we can continue to have the crummiest manufacturing sector in the western world.

**Hon. Mr. Davis:** You can't have that argument both ways.

**Mr. S. Smith:** There is no other country that has its domestic market for manufactured goods penetrated to the extent of 33 per cent the way our country's market is penetrated by foreign goods. It is unbelievable to be an advanced nation with billions of dollars spent on educating our citizens and to be basically a colony in terms of manufacturing. This province is supposed to be taking the lead. Yet this province insists on putting out more glossy brochures to attract more industries. And the minister added oil to the fire by saying it is the only way to get high technology.

My God, high technology is the only hope we have to become world competitors with our own industries. Under no circumstances should we be importing high technology unless it is absolutely impossible to develop our own. Even then we should only import it under licence. If I can get no other message through to you, I hope you will at least take that one home and think about it.

My friends, we have a situation now where Ontario has fallen to tenth and last in economic growth in the late 1970s, where we now account for 90 per cent of the new unemployment, 95 per cent of the layoffs and the plant shutdowns. We are funding social services at ninth or tenth per capita. We are funding universities tenth and last in Canada. We are still importing skilled workers when our billions and billions of dollars for education seem unable to get the system moving to produce our own skilled workers. We find ourselves with hospital beds in acute shortage with people in the wrong facilities by the thousands. Waiting lists are growing because the elderly are increasing in number and there has been no planning, despite all kinds of warnings beforehand.

We find ourselves with a system of funding hospitals which basically gives them very little and then waits to see who screams. Those who scream get a little more and, if they still scream, they might get just a bit more in addition. There are no criteria of efficiency and no criteria by which hospital grants are administered.

We see a barnacle-encrusted, old regime. I do not mean you personally, not at all. The Premier is a young man, but I say the regime is an old regime.

**Hon. Mr. Davis:** This is like whimpering and blimperping around the province.

**Mr. S. Smith:** Not at all. That is not the same.

**Hon. Mr. Davis:** That was your phrase.

**Mr. S. Smith:** I understand that, and that phrase was taken to have an unfortunate personal connotation, but this one should not be.

**Hon. Mr. Davis:** What do you mean by "it was taken"? You meant it as a personal one.

**Mr. S. Smith:** Let's stick to this one. You have an old regime, my good friend the Premier. The Premier is a young person and I have nothing against him as an individual. I say, however, his regime is an ancient regime. As these things go in the western world, it is almost unparalleled to have a government that has been in power that long.

**Mr. Nixon:** I think Paraguay has.

**Mr. S. Smith:** No. Paraguay has one-party rule the way we have here but it has not lasted quite as long.

The fact of the matter is that your regime, consisting of civil servants who have been there for donkey's years, which is a very

appropriate term for some of those, is not looking for new ideas. This province is now run down in terms of new ideas. They are looking for ways to protect themselves.

**Mr. Rotenberg:** That is such nonsense. We have more new ideas over here than you will ever have.

**Mr. S. Smith:** The member for Wilson Heights has a new idea. Perhaps it is his idea that elderly people should be in beds that are not appropriate to them. Perhaps it is his idea that we should have no apprenticeship program worth a darn and still be importing skilled workers. That is a new idea; that is a brilliant idea, I give him full credit for that one. Perhaps he and the Premier have dreamt up a situation together where we have fallen to tenth and last in economic growth. That is a brilliant idea. Perhaps it is his idea that we now find ourselves in a situation where we account for 95 per cent of the layoffs and the plant shutdowns and thousands of bankruptcies across Ontario. Perhaps it is his idea that we keep attracting branch plant operations instead of building our own small and medium-sized business sector.

I just want whoever is responsible for those ideas to know I do not think very much of them and to know that the myth of Tory management is no longer abroad in the province. Assuming that you both run again and assuming you hold your seats—and I grant that you have an excellent chance of holding your seat, if you do run again—I look forward to responding after ministerial statements each day to the questions from the member for Brampton and the member for Eglinton. I really look forward to that occasion and I trust when our time comes, we will run the Premier's office and the government of Ontario an awful lot better than it is being run today.

**Hon. Mr. McMurtry:** Is this the reincarnation of Mitchell Hepburn?

**Mr. S. Smith:** I hope so.

**Mr. Martel:** I have asked the House leader for the Liberal Party and the Premier, in view of the fact that my leader had a long-term commitment and could not be here, if they would agree to my leader having his leadoff on Monday. I got agreement from both sides which I appreciate.

**The Deputy Chairman (Mr. MacBeth):** That is the understanding. I do not hear anybody objecting to that. Do you wish to make any reply to the remarks this morning, Mr. Premier?



**Hon. Mr. Davis:** Mr. Chairman, my reply to that rather rambling dissertation from the Leader of the Opposition—

**Mr. S. Smith:** From the Premier I take that as a compliment.

**Hon. Mr. Davis:** I have never lived in a glasshouse. What is it like?

I would like to reply to a number of the matters raised, but I really don't want to do it twice in that I expect the leader of the New Democratic Party will be touching some of the same ground. I am just trying to be helpful here. If there could be some understanding that if there are some other members who have a short, specific question to ask or point to raise, we might do that for the next 10 or 15 minutes. The leader of the New Democratic Party could make his observations on Monday. Then I might seize the opportunity to reply to the constructively critical, totally objective, analytical and without much logic observations that have been made so far.

**Mr. J. Reed:** You are not going to respond in a logical manner?

**Hon. Mr. Davis:** I am going to respond in a totally logical manner. I would say to the member for that great constituency neighbouring on the city of Brampton that I have some things to say that relate to that particular constituency, its opportunities for economic growth and the need not to have that tunnel vision to restrict totally the kind of investment. I will get around to that.

**The Deputy Chairman:** Are there any other members who have any questions to ask on vote 201 at this time? We are not limiting it as we are going on to consider the leadoff remarks of the leader of the New Democratic Party next week.

**Mr. Warner:** Mr. Chairman, I wonder if the Premier could tell me why he failed to respond to the letter I sent him a very long time ago regarding train derailments. Following the Mississauga mishap, I had written the Premier with respect to the CP marshalling yards located in Scarborough and made three specific requests of the Premier in that letter. I hand-delivered the letter, if the Premier will recall, in the House. It is unusual not to get a response from the Premier, I will acknowledge. In this particular circumstance, I have not to date received a letter in reply. Although I don't have the correspondence with me, I believe it goes back to the best part of a year.

**Hon. Mr. Davis:** I know the member spoke to me about this. I thought we had a subsequent conversation, but I will take a look at it and see if there is anything I can add to what was discussed at that time.

**Mr. Sargent:** Mr. Chairman, I have a question along the same line I would like to ask the Premier. I know he has a very full agenda as far as his mail is concerned. I wrote him a letter 10 days ago regarding an appointment to the AECEB. I would appreciate if I could have an answer as there is a time factor involved. There is an appointment in Ottawa pending the Premier's answer, so would he please see if he could answer that letter?

**Mr. Martel:** I just want to make a couple of observations, Mr. Chairman, dealing with northern Ontario and in particular the resource sector. The Premier knows that for some time I have pursued the matter of iron ore. While we got a lot of responses from the Premier and his minister with respect to the quality of ore, it bothers me at a time when we have high unemployment to see an increase in the importation of iron ore to the point where we are now bringing in over 50 per cent of our iron ore from abroad, while at the same time we are closing down operations in northern Ontario.

Some of the arguments have been related to the fact that the supply wasn't there or the quality of the ore wasn't good, as in the case of National Steel from my own home town. It doesn't quite wash. Inco just lost—and, Lord knows, I am no friend of Inco's—120 jobs because no one is buying the iron ore it was able to sell up until this year. The reason no one is buying is that the Big Three in the steel industry have bought into iron ore mines in the United States and, consequently, are committed to taking a regular amount annually, regardless of what it does to communities in northern Ontario.

I know the Premier does not like to interfere. He calls it the market forces, or any other number of things, and says these companies have got to make a buck. Our steel industry happens to be one of the most competitive in the world.

My objection is that at the same time as we have put an infrastructure in Nanticoke to assist one of those industries, we decline to give as a quid pro quo something to northern Ontario to keep a municipality alive. The way the government has handled northern Ontario is unbelievable. As the population in Ontario continues to grow, the population in northern Ontario continues to decline. There are no jobs. We pay vast amounts

in taxes to educate kids, and we appreciate the education they get, but they must leave the north if they want to work. If they want to use any skills they get, they have to go somewhere else. The iron ore industry is but one case.

Their objection is to what we do in the form of giving concessions. We objected about a year and a half ago on this side of the House to giving the whole mining industry the right to write off development and refining costs. In Norway, Falconbridge gets a write-off against its Ontario tax of the cost of doing business over there. There is no future in that. We can offer an incentive to locate in northern Ontario, but if a company has an established operation in Norway and can write off the cost there against the taxes here, any company in its right mind is not going to come in here and build a new operation. They just are not.

It cannot be tolerated. If it is, northern Ontario will continue to be merely a frontier, as we move from town to town and area to area to extract whatever is in the ground. When that ends, the community dies. My own home town, as a result of National Steel, still has 60 or 70 homes empty a year and a half later. A municipality cannot afford it. It plans its economy based on the tax return. There were about 150 families that owned homes in that small town. Now they are gone.

They do not go to Sudbury to get a job. There is no manufacturing and the nickel industry is laying people off. They have to walk away from an investment—their whole life. It is not like southern Ontario. They cannot go to another town and get a job, if there is a job available, because they cannot commute. The distances are too great.

No effort has been made. If there is an area ripe for Ontario to move into, it is the production of mineral producing equipment. Our trade deficit, I guess, reaches \$1 billion—I was not prepared to do this, so the figure could be a little wrong—but the deficit in mining equipment is astronomical. If this province would only take some initiative to get in, not necessarily itself, but, as a last resort, to get in if no one else is prepared to do it. There have been two select committee reports—the report on economic nationalism by the select committee, which sat from 1971 to 1975, and the Inco select committee in 1978. Both of them recommended that Ontario should take a very positive, active role in trying to get the production of mineral equipment established in this province.

Sudbury has Atlas Copco from Sweden which is not a very big country—nine million people maybe—but it sends the parts over here. They send the equipment over here, and we use it in our mines. A proper type of development for northern Ontario would be to produce that equipment for a number of reasons. We are the third largest producer of mineral wealth in the world, and we import more mining equipment than any other country.

We have a university which is now established for your mining course. We have the greatest laboratory for research and development. I appeared before 2001, that great body created and funded by the Premier. I am not talking about the goat section of it either.

12:50 p.m.

**Mr. Kerrio:** Where is your sweater?

**Mr. Martel:** We are still waiting to shear the first goat.

**Mr. Nixon:** I thought you had milked it.

**Mr. Martel:** No, it was not for milking purposes.

You have a laboratory with nearly every type of mining within 150 miles of the city of Sudbury. If you wanted to have a laboratory at a university related to the mineral sector to try to develop mining equipment, there is the natural area.

There is an area that would produce jobs for women in producing some of that. There are virtually no jobs in northern Ontario for women outside of the professions, legal secretaries and so forth. I am not belittling the worth of those, but I am saying there is very little manufacturing that women can go to. That could serve as a basis for a proper development. Once you start an industry in an area, if it is big enough it will attract other things to service it, and so on.

As I said, I went to 2001 and laid out all of the statistics, the whole business, before them to try to interest someone to do something. I do not believe you should take something from the south, ship it north, manufacture it and then bring it back to the south, because the cost of transportation is going to kill any competitiveness. No one is interested.

The Minister of Industry and Tourism comes in. He has a trade show. That is fine, but it does not lead to anything. So you might have to take the initiative and say it might be through a co-op. Maybe you could try to get the industries in the mining sector itself related. Maybe you could try



to get some tax laws that say, "If you buy from a Canadian firm"—I know you are not supposed to do that but they do it throughout the rest of the world—"we will give you a concession in a tax write-off for purchasing Canadian-produced equipment." I do not mean something a multinational has brought in; I am talking about a Canadian industry.

We are the third largest producer of mineral wealth, behind only Russia and the United States, so how can places like Finland and Sweden produce mineral equipment while we do not? There have been two select committee reports. There has never been a murmur from this government, outside of a trade show, about any effort it is making to try to bring the pools of capital together to do that. That is the sort of development we need in the north because exploitation is no longer good enough.

I want to touch on one other point. When we had the major layoff in Sudbury, the Premier indicated he thought we might build some type of rapid transit system to get the workers from Sudbury to Elliot Lake. We are pumping hundreds of millions of dollars into Elliot Lake. Around Sudbury we have massive unemployment, we have all kinds of homes for sale, but nothing has been done beyond that little blurb back two and a half years ago. Yet we are putting the infrastructure into a town that we know, like all mining communities, will someday die.

We need growth centres so that workers can be moved to the site and well-established communities can be retained and the infrastructure to keep them viable. We get the worst of all worlds in the mineral sector in northern Ontario. Small communities without services serve a mine or serve a pulp industry because we do not have growth centres.

The prime example was where we could have moved the unemployed workers in Sudbury over to Elliot Lake and back. I am told that it is only 60 or 70 miles in distance. With rapid transit you could do it in an hour, but no, we are pumping hundreds of millions into the infrastructure in Elliot Lake. I just use that as an example, not to get at Elliot Lake or anything like that, to show that we do not do any of that type of planning.

That is a government responsibility. I would hope the Premier would have something done with the resource sector in terms of planning. That doesn't necessarily mean government interference, but giving some

indication to the mineral sector as to where it thinks we should be going. The haphazardness of the past has to stop because it costs a leg and an arm, and municipalities end up without services and without doctors and it is just a disaster area.

We thought that planning was going to come out of all of the plans for the development of northern Ontario. I recall one of them so vividly. I think you were in Sudbury when that document was tabled. One of the danger points was around places where there was water. That was in there somewhere. My God, where else would you have danger of drowning if not in water? What a tremendous insight by whoever wrote that! Nothing tangible has come from any of those.

**Hon. Mr. Davis:** I thought it was an NDP researcher who wrote that.

**Mr. Martel:** It would never be an NDP researcher. I well recall the former Treasurer saying to us in northern Ontario that we really can't expect much in the form of secondary industry for at least another 20 or 25 years. If that is the attitude of the government with respect to northern Ontario, we are doomed forever. I would appreciate some comments from the Premier next week on those general remarks.

**Hon. Mr. Davis:** I have made notes on these two or three speakers. I really can't start to answer in a five-minute period. If there are one or two other points someone would like to make, I can cover them all in my modest contribution on Monday.

**Mr. J. Reed:** Mr. Chairman, the Premier's reference to my riding in some form or other, which he has not yet revealed, has prompted me to rise and remind the Premier that a rather precedent-setting court decision took place a short time ago regarding the issue of landfill site F in the town of Milton. Essentially the decision said that rather than the issue being placed under the aegis of the Environmental Protection Act, it should proceed under the Environmental Assessment Act. There is a 14-day appeal time, and I just don't recall whether it is up now or whether it will be up in a few more days. Then, depending on the outcome of that appeal, if the decision stands, the minister will be required to make a decision as to whether or not the site F issue will be exempted from environmental assessment.

Since this will be a precedent-setting decision inasmuch as it does not involve a

provincial project but a municipal project, since this is critical to this riding, since it is the first of its kind and because the government has stated a policy which it has repeated on numerous occasions since 1973 and not yet fulfilled—that is, resource recovery would become the order of the day rather than dumping garbage into holes in the ground—I am sure the Premier's office and the Premier will be involved in the comment that is made on the Environmental Assessment Act because it is so far-reaching and will involve all of Ontario.

Perhaps, rather than being in the form of a question, this is in the form of an appeal to the Premier to give every consideration to not exempting that issue from environmental assessment. It is incredibly important not only for Halton-Burlington but for the future across the province.

**Hon. Mr. Davis:** I have made a note of that.

On motion by Hon. Mr. Davis, the committee of supply reported progress.

The House adjourned at 1 p.m.



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# **Legislature of Ontario Debates**

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Monday, October 20, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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MONDAY, OCTOBER 20, 1980

The House met at 2:04 p.m.

Prayers.

## STATEMENTS BY THE MINISTRY

### INTERCITY TELEPHONE NETWORK

**Hon. Mr. Wiseman:** Mr. Speaker, in response to your request of October 7, 1980, I would like to advise the members of the Legislature regarding the nature and significance of the system currently operated by the Ministry of Government Services to measure the effectiveness of the government intercity telephone network.

The government intercity telephone network is operated and funded by the Ministry of Government Services. The network consists of 383 telecommunication lines which link all the major communities in the province with Queen's Park in Toronto. The network is used for the conduct of Ontario government business at a cost of about one third of the long-distance cost if direct distance dialling were used. The annual cost of the network is about \$4 million and it handles more than eight million calls each year.

The government intercity telephone network has been in use for almost 20 years. In 1976, a system was installed to measure the telephone traffic volume on the 383 intercity lines. The purpose was to collect statistical information to measure the service levels and permit the effective management of this resource.

It is important to note that currently my ministry cannot determine the origin, destination or content of individual calls. We cannot determine who is using the network. We can only determine the cumulative traffic volume on any particular intercity line which is necessary for effective management of the network.

One of the initiatives of my ministry is to move in the direction of cost recovery from users of common services, wherever justifiable and practical. In this connection, my ministry is currently exploring the technology and feasibility of an information system which would permit cost recovery for the services of the intercity telephone network.

It is my expectation that, with the availability of improved technology, more effective modes of operating and measuring the network will occur. Such improved technology may have the capability of identifying the origin, destination and time usage of calls placed through the intercity network for the purposes of cost recovery as well as increased productivity and efficiency. Such a system would not, however, monitor in any way the contents of the calls, nor would I permit it if the technology were available.

I mention this potential development merely to advise the members of the future possibilities for improving the effective use of the intercity network by general government. Mr. Speaker, I would undertake to advise the House if, in the future, any significant change in the mode of measuring the network were to be introduced which would affect member's telephones.

In conclusion, I would like to reiterate that the Ministry of Government Services does not currently monitor the origin, destination or content of any calls on the intercity telephone network.

**Mr. Speaker:** I want to thank the honourable minister for elaborating on his earlier answer and for giving the assurances that nothing untoward is going on within his ministry or within the system itself.

I would like to draw to the attention of honourable members the presence in the Speaker's gallery of a distinguished delegation of parliamentarians from South Africa headed up by Senator the Honourable Geoffrey Hamilton O'Connell. Would you please welcome them.

2:10 p.m.

## ORAL QUESTIONS

### MASSEY-FERGUSON

**Mr. Nixon:** Mr. Speaker, in the absence of the minister associated with commerce and industry, I must put this question to the Deputy Premier. Can he explain to the House why the Ontario Securities Commission suspended trading in the shares of Massey-Ferguson at the opening of the Toronto Stock Exchange today? If he has

no information about this, is he not aware of how important this is for the welfare of the company, I suppose, but more so in the minds of the thousands of people whose welfare and continuing income depends upon the company when it is facing bankruptcy within the next few days?

**Hon. Mr. Welch:** Mr. Speaker, I can assure the honourable member that I can appreciate the concern he has just expressed. I really have no information that would be helpful by way of an answer at this point but if some information is communicated to me before the question period is over, I will be glad to share it. Otherwise, I will draw the question to the attention of my colleague.

**Mr. Nixon:** I appreciate the minister's undertaking but if information is forthcoming and the question period perhaps has closed, would he undertake to see that the members from the area are at least informed as to the circumstances?

**Hon. Mr. Welch:** Yes.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Will the Deputy Premier tell the House to what extent the question of Massey has been discussed by the provincial cabinet, and has the cabinet made a declaration or a decision in principle in which Ontario is prepared to participate to protect the jobs and to keep a major Canadian corporation with substantial exports operating here rather than putting us at the mercy of imports of farm machinery from the rest of the world?

**Hon. Mr. Welch:** As the honourable member will appreciate, the decisions of cabinet, when they are made on any particular subject, are communicated by the appropriate minister in due course.

#### TILLSONBURG POLICE ACTIVITIES

**Mr. Nixon:** Mr. Speaker, I direct a question to the Solicitor General. We were informed through the press that on September 30 the Solicitor General instructed the Ontario Provincial Police to undertake an investigation into the police affairs in the town of Tillsonburg and report within two weeks. Can he now indicate to the House the circumstances of that situation and what disposition has been made of it at this time?

**Hon. Mr. McMurtry:** Mr. Speaker, to be more specific, my instructions for the Ontario Provincial Police were not to investigate the affairs generally of the Tillsonburg Police Force but to conduct a criminal investigation in view of some of the very serious allegations

that had been made. I did not tell the OPP to complete their investigation within two weeks because that is not the type of instruction I would give to any police force, obviously, knowing the extent of investigation that would be required.

I indicated that I wanted an interim report within two weeks, and I have received an interim report to the effect that further investigation is warranted. Substantial resources have been allocated to that investigation, and we believe it will be in everybody's interest to have the criminal aspect of the investigation concluded as soon as possible. But as recently as Friday, the OPP assured me they were giving the matter very high priority.

**Mr. Nixon:** Is the minister aware, or was it part of the interim report he is referring to, that a former chief of the Tillsonburg police had submitted a critical report pertaining to these matters as long ago as three years and the Ontario Police Commission took no public action?

Can the minister explain both why no action was taken and why the Ontario Provincial Police lockup facilities in Tillsonburg evidently were the scene of one of the allegations of criminal activity wherein 18 young people were beaten in the OPP lockup? Is this a part of the criminal investigation the Solicitor General has ordered, and can he give us a fuller report on these matters?

**Hon. Mr. McMurtry:** I was aware that some of the allegations did refer to incidents that were alleged to have occurred in that lockup, and I am assured that aspect is one of the matters under investigation.

With respect to the suggestion that a former police chief had given a report to the Ontario Police Commission three years ago—

**Mr. Nixon:** Four years ago, I'm sorry.

**Hon. Mr. McMurtry:** —I am not aware of that, but I will certainly make inquiries in view of the honourable member's question.

**Mr. Kerrio:** Supplementary, Mr. Speaker: I wonder if the minister would reply to the concern I have that, if this was going on for four years, many of the 10,000 townspeople of Tillsonburg were put in the position of making a decision about some officers on the police force as opposed to others as related to their treatment of the public? Does he not feel that his lines of communication are somewhat lacking in getting the information to him, the first minister of the crown who should be looking into these matters?

**Hon. Mr. McMurtry:** We do not know yet what has been going on for the past four



years. Certain serious allegations have been made and, with respect, I think it would be very premature and unfair to make any statements of fact at this time.

**Mr. Nixon:** What is the responsibility of the Solicitor General when the Ontario Provincial Police lockup is being used by a municipal force? Does the OPP have the more important position as regards what charges are laid and what the disposition would be? Are they in a position to stop the municipal force from taking certain actions of which they might not approve?

**Hon. Mr. McMurtry:** With respect to shared facilities such as that, the responsibility in relation to the processing of the charges and the disposition with respect to deciding whether any charges should be laid is the responsibility of the municipal police force involved. The Ontario Provincial Police would have no role to play in that regard.

On the other hand, if there were members of the Ontario Provincial Police who were present and if they witnessed a matter, for example, an assault, or if they witnessed any breach of the Criminal Code, even though it did not directly affect them, as police officers they would have the responsibility and the duty to act accordingly, in my view. If any such incidents did occur in their presence, it would be their responsibility to take such actions as might be appropriate, given all the circumstances, including the possibility of causing charges to be laid.

**Mrs. Campbell:** Supplementary, Mr. Speaker: Would the Solicitor General advise the House as to the jurisdiction of the Ontario Police Commission? Should they have had the report from the former chief? Do they have the right and the obligation to take some action, or are they supposed to file such a report in some dust-collecting facility?

**Hon. Mr. McMurtry:** Under the Police Act, the Ontario Police Commission has a certain statutory mandate with respect to the proper management of police forces. If they are made aware of a report that relates to the effectiveness, if I might put that in a very general way, of the police force in relation to proper or improper management, given the nature of the report, they may have the responsibility of conducting an investigation under section 56 of the Police Act, which would be an investigation into the management of the police force.

I think that should be distinguished from the responsibility for any criminal investigation. In my view, it would not be the responsibility of the Ontario Police Commis-

sion to conduct a criminal investigation, because they are not a body that is constituted for that purpose. If information comes to their attention which would warrant a criminal investigation, it is their responsibility to hand that information over to the appropriate law enforcement body for that type of investigation, as opposed to an investigation under section 56 of the Police Act.

2:20 p.m.

## FRUIT AND VEGETABLE PROCESSING

**Mr. Cassidy:** Mr. Speaker, this week the New Democratic Party's full employment bill is being debated in the Legislature, and I would like to ask the Deputy Premier a question about whether the government has any kind of commitment to jobs.

Could the Deputy Premier explain why, when we made a survey of supermarkets in Metropolitan Toronto this week, we were able to find that of the canned peaches available in Ontario, five brands were packed in the United States, two brands were packed in South Africa and one brand was packed in Australia, but we were able to find only one can of peaches that was produced by Canadian farmers and processed by Canadian workers?

**Hon. Mr. Welch:** Mr. Speaker, I think that is a real shame. As a member coming from the Niagara area, and as one of those who has laboured long over the years to publicize the fact that the finest peaches grown in the world come from the Niagara Peninsula, I would share with the honourable member some concern that they are not readily accessible to the people of Ontario who, I am sure, would prefer the local peach.

Of course, this gets involved in marketing practices and all sorts of other complications with respect to the commercial area. I would be very happy to discuss my concern, as well as the member's, with my colleagues in cabinet to ensure that, along with Ontario wine and other products from our area, peach producers are not ignored.

**Mr. Cassidy:** If this concern has been shared by the government, could the Deputy Premier explain why it is that over the period of that concern, the market for canned peaches in Ontario, which used to be met 80 per cent by peaches from Ontario, had seen the Ontario product's share shrink to 30 per cent in 1976 and has got to the point today where you can hardly find a single can of peaches on our supermarket

shelves that has come from this province? What does that mean in terms of jobs for Canadian workers and Canadian farmers? Does the government know how many jobs have been lost? If it does not know, why not?

**Hon. Mr. Welch:** I know my colleagues the Minister of Industry and Tourism (Mr. Grossman) and the Minister of Agriculture and Food (Mr. Henderson) have been somewhat concerned with respect to the processing industry. Of course, that is what the honourable member is making reference to. I do not know whether he went to the supermarkets and did this personally, but certainly when I go with my wife I look at the labels. There is a tremendous power on the part of consumers to indicate their demand and preference for our own product.

Quite consistent with the member's concern is this whole area with respect to the processing industry, which has been the subject of some studies. Certainly I will ask my colleagues to expand on that when they have an opportunity and they are back in the House.

**Mr. Nixon:** Supplementary, Mr. Speaker: Does the minister not agree that this is just an indication of the inadequacies of government policy over the last 20 to 30 years, if not 37 years? In fact, many of the processing facilities that were viable in the years immediately following the war have been allowed simply to crumble away and be lost because the government here has little or no interest in preserving that important aspect of the agricultural industry. The Minister of Agriculture and Food is not even here.

**Hon. Mr. Welch:** Now that the supplementary question has been raised, there is not a fruit grower in the Niagara area who would not join in the chorus to point out that the government of Canada, because of its tariff policies, has watched insensitively as this very important area of commercial activity has gone down the drain. This does not overlook, of course, the tremendous demand that is increasing every month down our way for the fresh product. Indeed, that has to be a part of this whole policy as well. As he looks at the briefs of the Niagara fruit growers' associations, the honourable member will see their consistent concern with respect to the lack of protection their members have had under the General Agreement on Tariffs and Trade.

Interjection.

**Hon. Mr. Welch:** As the member knows, as far as the processing industry is concerned as it relates to beverage alcohol, the grape growers have some advantages in our area because the processors have some obligation to use the local grapes. But in this case we are talking in terms of the processing industry, and its products have to compete with respect to these imports. That is where the growers down our way have felt there has been some unfair advantage.

I would not presume to talk on behalf of the Minister of Agriculture and Food or the Minister of Industry and Tourism, but I do talk on behalf of the fruit growers of the Niagara area joined, as I am sure I would be, by all members regardless of party affiliation, when we turn the spotlight on the government of Canada as being one of the problems in this particular matter.

**Mr. Cassidy:** I think it is about time somebody started to talk on behalf of the farmers and the food-processing workers of Ontario rather than shoving it off to some other minister. Does the Deputy Premier not know that just in the last five years, while his Rip Van Winkle government has been asleep over the issue, the production of peaches in Ontario has fallen by half?

Does he not know that, since Del Monte took over Canadian Canners more than 25 years ago, they have systematically shut 30 of the 37 plants they took over for processing food in the province and are replacing those Ontario products with products they bring in from outside of the province?

How are we going to regain self-sufficiency in the peach industry and in the processing industry in this province, and how are we going to regain the jobs that are lost when the major company in the industry has been systematically working against the interests of Ontario workers and Ontario farmers?

**Hon. Mr. Welch:** I do not have the figures before me, but the honourable member makes some pretty sweeping statements with respect to the production of peaches. In fact, from some of the information I have—and that does not take into account the fresh market—I think he will find there is fairly substantial production.

This does not minimize the point the honourable member has made with respect to the importance of the processing industry. I will tell the member that one of the easiest ways to ensure that the fruit growers of my area—just to name one area, because there are one or two other areas—keep in that particular business is to make it economically



viable. The processing industry is very important to that business, and that particular industry is going to need some protection from unfair competition from other parts of the fruit-growing world.

**Mr. McGuigan:** Supplementary, Mr. Speaker: Does the Deputy Premier realize that part of the loss of peaches on the shelves is due to the very bad winters of 1977 and 1978 in which a number of trees were lost? One of the specific things the government could do to bring growers back to planting peaches again would be to include peach trees under the crop insurance program as a specific item to encourage production of peaches. Would the Deputy Premier look into that?

**Hon. Mr. Welch:** I will pass that suggestion along to my colleagues.

**Mr. Swart:** Supplementary, Mr. Speaker: I would like to ask the Deputy Premier, inasmuch as the land that can grow peaches has decreased from some 13,000 acres to less than 7,000 acres, largely because it has been paved over—and that is a matter over which the government has control—and inasmuch as at the present hearings, where there is an attempt being made to preserve fruit land, the government has totally opted out and has not made any representation there, what plans does the government have to see that the land base does not disappear entirely with the result that we will never be able to have a peach industry in the Niagara Peninsula?

**Hon. Mr. Welch:** I am glad the honourable member has raised that particular point because, as he rants and raves around the Niagara Peninsula with respect to this issue, he avoids one very basic principle. One of the most effective ways with respect to the preservation of agricultural land is to ensure that those people who labour long hours on the land get a decent return for their investment and for their labour.

The member is not going to go around his riding talking in terms of paving over and irresponsibility. Most of the people down there understand that particular problem and realize that the problems with respect to the processing industry, particularly in competition and in world trade, rest with these particular agreements under the General Agreement on Tariffs and Trade and that there has been a consistency at least in pleading with those who have those particular negotiations as their responsibility, to keep this in mind.

Look at what is happening with the growing of grapes down our way. Why is there

such an expansion of that? Because there is a market. The economics are in place and people can make a decent living. The same thing would apply for other commodities.

2:30 p.m.

## LAYOFFS

**Mr. Cassidy:** I have a question for the Minister of Labour, Mr. Speaker. Could the minister say what the layoff package he announced last week will do for some 80 workers at the Heintzman piano factory in Hanover, Ontario, who went on temporary layoff last June 30. They have now learned the Heintzman company is disappearing and they are unlikely to be called back to work. My reading is that the layoff package will do nothing for those workers at all.

**Hon. Mr. Elgie:** Mr. Speaker, the contents of the labour proposals I referred to last week are pretty clear in their outline. As I mentioned on Friday, we have taken step one with the appointment of a co-ordinator, and I expect very shortly to be introducing the other amendments as I referred to them in that statement.

If the leader of the third party wants to know exactly what effect they will have on a particular closure, I will be pleased to explore that and report to him, but I cannot tell him right now what effect it would have.

**Mr. Cassidy:** Given that Heintzman is a company that has been operating in Ontario for 120 years and has a name with great repute right across this country, can the minister explain why it is that his Ministry of Labour has not yet been seized of the problems of the 80 workers involved in Hanover? Why are they meeting this week with the federal Minister of Labour, while the provincial Minister of Labour has not been involved at all in trying to protect those workers' jobs or to ensure they have a future elsewhere?

**Hon. Mr. Elgie:** I can only presume, as the member said, that workers were laid off under the temporary layoff section, and we would not be advised of that. I have no personal awareness about any change in that status, but I will be pleased to explore it.

**Mr. Cassidy:** Does the Minister of Labour not think it is shabby treatment for workers who have been in a town for 18 years, long-service workers with a high degree of skills, now to be faced with the fact that the temporary layoffs they accepted last June have broadened into something that may mean they will never get their jobs back? Does the

minister not believe, on behalf of the government, that workers who are treated that way at least should be entitled to severance pay to give them something back for the years or decades of service they have put into high craftsmanship, the making of a quality product, and the making of Ontario's name in the world of music?

**Hon. Mr. Elgie:** As the owner of a Heintzman piano, I have a great pride in that piano and in that company. Let us not pretend we are in a battle for who cares the most. There is no doubt about my concern for laid-off workers or about this government's concern. We have introduced what we consider to be a rational and responsible package.

The other matters the member has referred to I have quite willingly said are difficult matters, but we think they should be considered by a committee of the Legislature, and that is being arranged.

**Mr. Sargent:** Supplementary, Mr. Speaker: Does the minister not agree that there are going to be a lot more plants of this nature go down the way because of the technology they have? They cannot compete with the Japanese. They cannot sell pianos as cheaply as the Japanese or others abroad. Does he not agree that it is the fault of this government if we do not help them with new technology to fight the foreign competition?

**Hon. Mr. Elgie:** I think the evidence presented through the Ministry of Industry and Tourism statistics clearly showed the government is concerned about improving and upgrading and bringing new industry into the province, and it will continue to do so.

#### ASSISTANCE TO PULP AND PAPER INDUSTRY

**Mr. Gaunt:** Mr. Speaker, I have a question of the Minister of the Environment. I wrote to the minister several weeks ago and asked him to provide the ministry's priority list of pulp and paper mills which should be awarded grant money under the employment development fund to modernize and more particularly to clean up environmentally. The minister wrote back a few days ago and said, "The distribution of grant moneys to specific mills is not public information."

Am I to assume, first, that no such priority list exists and, second, will the minister explain why the distribution of public moneys in Ontario is not public information? Would the minister not consider this to be a viola-

tion of the government's new policy on freedom of information?

**Hon. Mr. Parrott:** Mr. Speaker, may I make one point on this question? There is a list but it is not a priority list relative to companies in which their pollution problems would rank from the most severe to the least severe. We compiled a list because we wanted to know if there were to be limits on the amount of funds that we could supply relative to the number of requests we received, and how we would dispense those funds most equitably and to get the greatest environmental good. There is that kind of a list, but it is not a list that is to be construed as a ranking of the most severe pollution problem-causing mills.

Second, the amount of money to the companies is public information, but not the amount going to the specific mills within those companies.

**Mr. Gaunt:** How does the ministry, in co-operation with the other ministries involved, decide who gets the money and how much? Second, the ministry now allows for public meetings if mills ask for extensions or exemptions to the ministry's clean-up orders. How can members of the public be expected to attend one of those meetings and participate in them in a meaningful way if they do not know the extent of the government's involvement by way of grants to these mills?

**Hon. Mr. Parrott:** We have some broad parameters for how we give money to these mills. For instance, one is that there must be a minimum three-to-one contribution. For every \$1 the government might supply, there must be at least \$3 from the company. Of course in reality that is often exceeded. I can give the member several illustrations of where \$1 of government subsidy on the paper industry was met by \$10 or more; so that was the minimum—not on a one third basis. That is one type of parameter.

Basically, the discussions occur primarily with the Treasurer (Mr. F. S. Miller) and the Minister of Industry and Tourism (Mr. Grossman) with our ministry adding the technical expertise for the severity of the problem and what is required. It is a matter of consultation between the three ministries and then the company. I do not think our policy need always require that when there is a grant to a company there must be an open meeting where the company must put forward their case as to what they are doing and why that time is required to do whatever cleanup is being required of them.



**Mr. Kerrio:** Supplementary, Mr. Speaker: Does the financial position of the company have anything to do with the size of the grant? In fact, could a company that does not need the help financially and could be one of the greatest polluters get the largest sum? Is that possible?

**Hon. Mr. Parrott:** I do not think that point is at all made. If the member wants the parameters for the financial considerations, then I think he should be turning his question to the Treasurer. It is he and his staff who determine the amount of grant that will be paid to a specific company. Our input is to make sure that the required cleanup, which is part of that program, is enforced and is part of the commitment that we receive from the company before any grant money is given.

2:40 p.m.

### SALE OF STELCO SHARES

**Mr. Mackenzie:** Mr. Speaker, I have a question of the Deputy Premier. Is he aware of the extent of the concern of the citizens in Hamilton and employees at the Stelco steel mill over the large volume of trading in Stelco shares over the last period of weeks and the more than 2,300,000 shares that traded hands in the last week? Can he give his government's commitment that a takeover will not be allowed? Will he further investigate and monitor the extent of sales of Stelco stock outside of Ontario or outside of Canada?

**Hon. Mr. Welch:** Mr. Speaker, I will be very pleased to communicate the concern of the honourable member to my colleague the Minister of Industry and Tourism (Mr. Grossman), and perhaps he will have some comments to make on that when he returns tomorrow.

**Mr. Mackenzie:** It seems to me there is a major government responsibility here in that this is one of our few industrial success stories. Given the statements of the acting director of the manufacturing branch of the federal Department of Consumer and Corporate Affairs, that they would not look into or monitor the situation until such time as it appeared that a takeover might be imminent, which seems to me to be a total cop-out, will this provincial government respond with the leadership to guarantee the people and the workers that we are not going to see this success story jeopardized in Hamilton?

**Hon. Mr. Welch:** I cannot add any more to what I said by way of answering the main

question except to assure the honourable member that I will draw both the main question and the supplementary question to the attention of the Minister of Industry and Tourism.

### BRAMPTON PICKET LINE INCIDENT

**Hon. Mr. McMurtry:** Mr. Speaker, recently the leader of the New Democratic Party and the member for Hamilton East (Mr. Mackenzie) asked questions pertaining to incidents on the picket line at Maple Lodge Farms and I undertook to report further to the Legislature when I had additional information.

Investigation by the complaints bureau of the Peel Regional Police is now complete, and I might add that the investigation was ordered by Chief Douglas Burrows even though no formal complaint was received from the union or its members.

Firstly, the leader of the New Democratic Party indicated that four women pickets involved in the October 6 incident were taken to hospital. In fact, only one requested such treatment at Peel Memorial Hospital. The woman had no hesitation in authorizing the release of the hospital emergency report relating to her injury, and it reads in part: "Small abrasion left knee; examined and discharged."

Second, another woman who was alleged to have been punched in the stomach stated that she did not wish to be interviewed by police and that she had neither complained nor wished to complain of the actions of the police.

Third, other allegations of police misconduct during that incident simply do not check out, and a careful study of the videotapes and news films, while inconclusive in themselves, reveal no examples of police misconduct.

Fourth, the videotapes did reveal, however, that the number of uniformed officers on the scene, which was increased from 10 to 23 as the situation escalated, was justified to control the situation. Ten plainclothes officers who were there in an investigative capacity were wearing identification bands.

Fifth, the member for Hamilton East asked how many officers were hurt during the incident, which incidentally lasted about 90 seconds. The answer is none, but two policemen were hurt on previous occasions; one was pushed into a car and one had an automobile run over his foot.

Sixth, there were 27 charges laid during the course of the strike, which happily has

now been settled. Charges were laid against persons involved in both sides of the dispute.

Seven, I would like to emphasize that to this date no formal complaint of improper police behaviour has been made by union members to Chief Burrows, the Peel Regional Police Commission or my office.

I am satisfied from all the information that we have been able to obtain that during the dispute the Peel Regional Police officers conducted themselves with the high standards of professionalism that we have come to expect from that force.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Would the Solicitor General tell the House whether he has had the incidents investigated by the Ontario Provincial Police? Would he also tell the House whether in his opinion, as the Solicitor General responsible for policing in Ontario, it is acceptable that when plainclothes police persons go out in rough clothes they have to be asked to put on identification by people on a picket line? Does the minister not feel those police officers should have been uniformed from the very beginning if they went out to keep order on the picket line?

**Hon. Mr. McMurtry:** It depends on the circumstances. As I reported to the House earlier, Mr. Speaker, the police officers mostly were not in rough clothes, as suggested by the leader of the New Democratic Party; they were there in an investigative capacity only.

With respect to the suggestion that this matter should be investigated by the Ontario Provincial Police, nothing has come to my attention to date that would warrant such an investigation. I repeat, Mr. Speaker, no formal complaint has been lodged either with the Peel regional authorities or with my office by the union or any of its members.

If they wish to launch a formal protest or wish to adduce additional information that might warrant an independent investigation, we are quite prepared to consider that at the appropriate time. Certainly, nothing has come forward from the members of the New Democratic Party that would warrant any additional investigation at this time.

**Mr. Mackenzie:** May I ask the Attorney General why he stated in the report he just gave to the House that the plainclothes officers wore identification when in fact that was not true and the union had to request identification of those officers? I really wonder whether that was the same strike situation that I attended to. Has he not seen my

letter? Has he not had a couple of the comments I passed on to him that came to me from officers involved at the scene? Would he not have an independent look at the situation, because the letter he has sent to me is an absolute total whitewash?

**Hon. Mr. McMurtry:** I can assure you, Mr. Speaker, that the description of the incident as given by the member for Hamilton East certainly is not in accord with the description given by any other individual who was there, many of whom were not associated with either side in the dispute and were not associated with the local police force. As a matter of fact, at one time the member for High Park-Swansea (Mr. Ziembra) actually complimented senior officers of that police department for the manner in which they were handling a difficult situation.

Again I repeat, to my information, the description given to the members and the allegations made by the member for Hamilton East certainly are not supported by any other individual who was there.

**Mr. Cassidy:** How do you know when you have not investigated?

**Hon. Mr. McMurtry:** A number of members of the media were present and, to my knowledge to date, none of the members of the media who were present has supported the allegations made by the member for Hamilton East.

I reiterate, certainly nothing has come to my attention that would warrant any further investigation. But if the members opposite are so interested in prolonging this matter, I assume then at least they might advise the members of the union who may be concerned about this to make a formal complaint. I repeat, Mr. Speaker, to date no formal complaint has been made by any member of that union.

#### AID TO PENSIONERS

**Mrs. Campbell:** Mr. Speaker, my question is to the Minister of Revenue: Could the minister apprise this House as to the procedures for processing the applications of senior citizens where there has been a change of address? Why are they set aside and delayed? Where there is a direction given simply to send the cheque to a bank, why is that application set aside for further consideration?

**Hon. Mr. Maeck:** Mr. Speaker, if the honourable member has a particular case in mind, I would be happy to look into it.



**Mrs. Campbell:** It is the one you know about.

**Hon. Mr. Maeck:** If that is the case, I already did look into it and the cheque has been forwarded to her bank. I do not know what the meaning of the member's question is. It has already been looked after.

**Mrs. Campbell:** Why was it delayed?

**Hon. Mr. Maeck:** It was delayed no longer than any other cheque. She has received her cheque at the same time as many others are receiving theirs.

2:50 p.m.

**Mrs. Campbell:** Supplementary: Why was she told and why are others told that where there is a change of address the application is set aside for further consideration? What kind of classification does the ministry have for the people working in this sensitive area that it does not seem to be able to process applications quickly, but has to set aside application after application for further consideration?

**Hon. Mr. Maeck:** At the moment we have 233 people employed in processing these applications. Most of them are temporary staff because when the applications are processed and completed we will not need them any longer and they will be gone again until the next time the applications have to be processed. We do not have permanent civil servants except for the people in charge. We have what is commonly called GO Temp staff processing the applications. When the applications get to the final stages, they are finalized by civil servants.

**Ms. Bryden:** Supplementary, Mr. Speaker: Is the minister aware that seniors all over the province are complaining that they cannot get through to the phone numbers that are advertised in the booklet for the seniors' tax grants? Will the minister consider installing additional lines or some sort of holding system so that they do not have to wait two and three days to get through, as they are reporting to me?

**Hon. Mr. Maeck:** Mr. Speaker, this has been a problem. We did increase the phone lines in our guaranteed annual income system branch that looks after this. According to the last report I had, we have something like 23 people answering telephones and they are averaging about 195 calls per day each.

**Mrs. Campbell:** Why?

**Hon. Mr. Maeck:** Simply because it is a new program. People have questions and we must be there to answer them. We have made an effort to accommodate these people. We

have suggested that if they would call a little later in the afternoon rather than in the morning, the lines then are not quite so busy and there aren't quite as many calls coming in.

Again, as I say, it is a temporary situation. Once they become familiar with the program and how to fill out the applications, we do not anticipate that this will continue during the time the next applications are processed.

**Mr. Eakins:** Supplementary, Mr. Speaker: Since my office receives calls almost daily, can the minister tell me how many applications are still waiting to be sent out?

**Hon. Mr. Maeck:** From the last report I had, I think something like 440,000 cheques had been mailed.

**Mr. Conway:** Are you telling them, "The cheque is in the mail, dear"?

**Hon. Mr. Maeck:** Yes. I think we have something like 100,000 more applications that are being processed at the moment. Most of them are the ones from recipients of old age security and the Canada pension plan. We are dealing with them after we have dealt with the original list. They come in different groups from the OAS files of the federal government. We have dealt with the first group and we are now on the OAS and CPP files. Then we still have to deal with those people who will be applying individually. I am referring now to the people who are landed immigrants and so on and who are not on the OAS list. In some way or other we have to get to those people because we do not have a list of them.

## NIAGARA ESCARPMENT DEVELOPMENT

**Mr. Swart:** Mr. Speaker, I would like to ask the Minister of Housing if he has received or has before him now a proposed official plan amendment from the township of Euphrasia for the purpose of permitting a 300-acre residential and commercial development on the Niagara Escarpment natural protection area on the slopes of Beaver Valley.

Is it not true that the Niagara Escarpment Commission rejected the same proposal under its development control policy because "it is contrary to the purposes and objectives of the Niagara Escarpment and Development Act," and that on appeal by the developers the rejection was upheld by the hearing officer and by the minister? Is the minister going to be consistent and reject

this new manoeuvre, if he is not part of it; and if not, why not?

**Hon. Mr. Bennett:** Mr. Speaker, I will answer the first part of the question in a very positive way. To the best of my knowledge, it has not appeared on my desk at this point. Until it does and I know the background of it, I have no intention of offering any further answer to the question.

**Mr. Swart:** By way of supplementary, Mr. Speaker, I am surprised at the arrogant attitude of the minister, when this was dealt with before. In view of the fact there are only three requests that this be referred to the Ontario Municipal Board, and they are from persons who are concerned about the preservation of the escarpment and are willing to withdraw them if the minister will give a commitment that he will not approve of this, especially as the Niagara Escarpment Commission has as its policy that there should be no major development until its plan is finished, will the minister now give that commitment to this House if they withdraw their application for referral to the OMB?

**Hon. Mr. Bennett:** Mr. Speaker, I shall review the case and report to the House.

**Mr. J. Reed:** Supplementary, Mr. Speaker: How is it that an application of that nature takes three or four months to process through the ministry and get on to the minister's desk? My information is that the township made that submission at least three months ago, possibly four months ago.

**Hon. Mr. Bennett:** Mr. Speaker, speaking not just to this case but in a very general way to the policy, quite often when a municipality or region makes an application to the ministry we do not try to process it immediately as it requests. We try to find a compromise to the situation. Quite often, and very beneficially to the taxpayers of that community, and indeed to the taxpayers of Ontario, we are able to resolve the problem rather than send it to the OMB or some other authority. That is really why the Ministry of Housing tries to find some understanding, some acceptance to some adjustments to the plan, that accommodates not only the municipality but is in keeping with the principles of Ontario and on some occasions might even find a degree of acceptance by the applicant.

#### EXEMPTIONS FROM MINING ACT

**Hon. Mr. Auld:** Mr. Speaker, on Friday the member for Nipissing (Mr. Bolan) asked

the Premier a question, the essence of which was, could the Premier tell us why this exemption order was given and what he is going to do about the fact that the plant is about to close. I will try to make this brief. The question is difficult to answer in the words "yes" or "no," but I will do my best.

I may say that concern has been expressed in other quarters over the fact that Teck Corporation, Silverfields Division, which operates a silver mine in the Cobalt area has been granted an exemption from the provisions of section 113(1) of the Mining Act. Let me first emphasize that this exemption is with respect to flotation concentrates only and is on a temporary trial basis for one year from July 1980.

The effect of this is to allow Teck to ship only these flotation concentrates to a European refiner for a limited time, instead of to Canadian Smelting and Refining (1974) Limited at Cobalt, which has hitherto enjoyed an almost exclusive market position and claims it must continue to have that market position to survive. At this point I want to stress that Teck still ships its bullion and gravities concentrates to CS and R.

I understand and appreciate the concern of the employees of CS and R, just as I do the concern of the employees of Teck and other silver mines in the area, but I do not feel that rescinding the exemption would allay their concerns.

This whole unfortunate situation arises basically from disagreements between the silver mines on the one hand and CS and R on the other over substantial increases in charges which CS and R has levied, which they feel they cannot negotiate and which are considerably in excess of those applied elsewhere in the world. They deny to the mines—which are Canadian owned and operated—realistic payment for their silver, especially the silver contained in their flotation concentrates.

Over the past two years, I and officials in my ministry have initiated various attempts to mediate in the disagreement, but unfortunately matters came to a point where the government had to make a decision. Regrettably there is no decision that will satisfy all parties. Let me briefly set out what the alternatives are:

3 p.m.

The apparently simple solution of rescinding the Teck exemption is almost certainly not the best one. First of all, there is no onus at all on any producer to provide all or any of his production to any processor. It is there-



fore not true to assume or imply that a denial or rescinding of an exemption ensures that his production will be made available to CS and R.

In the present situation I am advised that the mining companies, as one of them already has done in the past, might find it expedient to stockpile their flotation concentrates in anticipation of a better future, rather than to release them now to CS and R.

A further possibility, should the exemption be rescinded, would be for the mine to discontinue operations. Also, as I said or implied, CS and R's process appears not to be competitive with those of certain refineries in Europe. CS and R acknowledges this and has itself applied for and been granted a section 113 exemption—again, also on a temporary trial basis—to allow its flotation concentrate process residues, which still contain 80 to 100 ounces of silver per ton, to be sent to a European refiner for processing.

It is because certain impurities in the original ores, including arsenic and mercury, remain in the concentrates and residues that older Canadian-established smelter refineries, which have been faced with stringent emission controls, are unable or unwilling to offer their processing services. This is why CS and R has an exclusive market situation.

I will leave out some of the further explanation. I think I have covered in essence what might happen.

However, what we have done is to provide both Silverfields and CS and R with the exemptions they requested, but on a temporary trial basis only, so that facts rather than conjecture can be used in determining the overall benefits likely to accrue in each case. I am requiring each party to present to me a report and review of their progress at the end of this year.

Furthermore, through the Ministry of Natural Resources the government has already contributed a significant sum of money for research into a supplementary process that should enhance CS and R's metal recovery, including the cobalt in the ores, and lead to increased returns to the mines.

We did this through the Ontario Research Foundation, and it was made available to CS and R in either June or July of last year. So far we have had no report from them as to their expectation of having it on stream, although it had been anticipated by them, I understand, to have been done by March 1981.

With respect to breaking the law by shipping concentrates outside the country without an exemption, it has been alleged that a

20-ton quantity of certain mineral material was exported. Let me report as follows:

During one of the earlier mediation meetings at which Teck agreed to ship certain stockpiled concentrates to CS and R, it was mutually agreed that a quantity would be withheld for testing purposes. While it has not been specifically stated that such testing might involve a foreign plant, neither was there any specific indication that it would not.

Under section 113, the Lieutenant Governor in Council has the discretion as to whether or not to initiate proceedings. Since in this case Teck may well have misunderstood the discussions, I feel such a course would have been inappropriate. However, in the event of such a course being followed, I would have expected a recommendation of similar action against CS and R. This expectation is on the basis of a letter from them to me, dated March 31, 1980, in which it is stated, "Samples of our residues have been sent to many refineries throughout the world."

Regarding the observation on limitations in connection with such proceedings, it is quite correct to point out that there is a six-month time limit applying by virtue of the Provincial Offences Act, section 76. I quote: "Proceedings shall not be commenced after the expiration of any limitation period prescribed for the offence or where no limitation period is prescribed after six months after the date on which the offence was or is alleged to have been committed."

I have no doubt that the honourable members will agree with me that little is to be gained by becoming involved in antagonisms and recriminations. I hope this can be avoided.

**Mr. Speaker:** I am glad the honourable minister made every attempt to be brief. I will add another five minutes to the question period, which will mean it will terminate at 3:13 p.m.

**Mr. Kerrio:** Supplementary, Mr. Speaker: Our northern member raised the question and I think it is only just that we follow it up. Does the minister encourage sending this particular product out for processing? Is he not encouraging the continuance of something that should be stopped immediately, if not sooner? Should he not encourage people to do the processing and keep it in Ontario? Is that not a commitment of his government? When he is going to follow it up?

**Hon. Mr. Auld:** I thought I had covered that, but perhaps I was a little brief on page eight.

### UNEMPLOYMENT

**Mr. B. Newman:** Mr. Speaker, I have a question of the Minister of Intergovernmental Affairs or the Deputy Premier (Mr. Welch), whichever one wants to field the question. As the number of Windsor and area individuals registered as unemployed and looking for work rose again in September, according to figures released last week by the Canada Employment Centre, and as 22,352 people were registered for work at the end of September, an increase of 726 over August of this year and 10,228 over this time one year ago, and as 18 per cent of the estimated 124,000 in the work force are now seeking work, what job-creating plans has the government to alleviate the job situation in the Windsor and Essex county area?

**Hon. Mr. Wells:** Mr. Speaker, if I recall the debates we have had in this House since the House came back on October 6, I think the honourable member has been told the general thrust of all the programs of this government is to create more jobs in this province. Indeed, there are more people working in this province today than there were at this same time last year. I know that does not help those who are unemployed in the Windsor area.

I cannot give the member a list of all the job-creation opportunities that are there, but, as I think about them, it comes to my mind that the government, as part of a partnership with the private sector, is engaged in a number of things in the Windsor area that I hope are creating jobs. I think of the E. C. Row Expressway, which is a major commitment and has created jobs and will be creating them over the next couple of years. There is other infrastructure that is going on to provide for some of the new plants that are being established there.

My colleague the Minister of Industry and Tourism (Mr. Grossman), who has dealt with the troubles of the automotive industry, has indicated that as those companies begin to turn around, and we know they will, the job prospects for people in that area will turn around.

I am sure my friend would agree that the government has been playing its part in the developing job opportunities, particularly in the Windsor area of this province.

**Mr. B. Newman:** Supplementary: Is the minister aware that there are 22,352 people, 18 per cent of the work force, now unemployed, in spite of the fact there are certain job-creating projects going on in the city of Windsor? It is the highest unemployment of any part of Canada. We are probably even higher than some parts of Newfoundland.

The city of Windsor has itemized 39 different municipal works projects that could help our serious unemployment problem. Will the minister review this list and make appropriate provincial and/or federal-provincial assistance available to the community to alleviate some of the unemployment?

3:10 p.m.

**Hon. Mr. Wells:** Mr. Speaker, I am aware of the problems in Windsor; if I was not before, I certainly am today because the member has reminded me of them again. I certainly think my friend knows that the thrust of this government, through its employment development plan and others, is to create jobs and to create jobs in those areas where they are needed.

Windsor is probably on the minds of many people. Certainly it is the home area of the federal Minister of Industry, Trade and Commerce and I can't believe that he, certainly with the co-operation he will get from this government, does not have Windsor on his mind all the time as he embarks on the kind of programs he is thinking about.

**Mr. Cooke:** Mr. Speaker, obviously the minister doesn't understand the real problem in the auto industry. Does he not realize that while he is hoping there will be a recovery in the automobile industry and while sales for some types of models are up so far in this model year, we don't produce the right kinds of cars in this province? In particular, the layoffs announced a week ago of 600 more auto workers at Chrysler resulted because we don't produce the K car in Canada—the only car that is selling for Chrysler. Instead, we produce the Cordoba and Mirada, and those cars are not selling at all.

Does the minister not realize that? When are he and his government going to say to the automobile companies that we have to produce the small cars in this province along with parts for small cars so that we will get the jobs, or else we will never benefit by the recovery that we hope will come in the automobile industry shortly?

**Hon. Mr. Wells:** Mr. Speaker, I realize all those things about the automobile industry. That is not really the responsibility of this



portfolio, but, as I indicated to the member for Windsor-Walkerville, it is the responsibility of this government and I know this government realizes and is well aware of those problems and challenges in the automotive industry.

We are talking about other job-creating things. I think my friend basically is talking about what this government can do to create jobs right away. I indicated a couple of things concerning works projects, particularly highways and some other infrastructure in the Windsor area, which we are pushing ahead with at great speed and which is helping with the job situation in Windsor.

#### TRANSPORTATION OF PHYSICALLY DISABLED

**Mr. McClellan:** Mr. Speaker, I have a question for the Minister of Transportation and Communications arising out of the coroner's inquest into the death of Linda Ann Pyke who, according to the inquest, died as a result of head injuries sustained while falling from the passenger seat of a wheelchair-carrying van last November 29.

I want to ask the minister if he is aware of the recommendations made by the coroner's jury, specifically that there be amendments to the Highway Traffic Act covering six points but particularly to introduce licensing standards for all companies operating transportation services to the handicapped and dealing as well with safety devices. Is the minister aware of those inquest recommendations? When can we expect the amendments to the Highway Traffic Act that were recommended January 29, 1980?

**Hon. Mr. Snow:** Mr. Speaker, it is some time since I have seen the report of that particular coroner's inquest. Certainly, certain action is being taken on some of those recommendations and certain actions were in the mill of my ministry being developed.

For instance, we are developing standards for safety devices through the Canadian Conference of Motor Transport Administrators—this was discussed at our meeting of CCMTA ministers about two weeks ago—safety standards for special van-type vehicles for transporting the physically handicapped. We are also preparing special guidelines for the training courses for drivers for this type of vehicle. These things are all being worked on at present.

**Mr. McClellan:** By way of a supplementary—and I didn't hear the answer with respect to the amendments to the Highway Traffic Act—let me ask the minister, with respect to

the service provided by Wheel-Trans here in Metropolitan Toronto, a service provided by Allways Transportation under contract to the TTC, if he can advise the House, in the light of the latest summary of vehicle inspection reports which indicates that the ministry has had to remove the licence plates from four more vehicles being run by Allways, under the Wheel-Trans contract, what action he intends to take to protect the riders of Wheel-Trans, who are clearly at risk because of the defective vehicles being provided by Allways here in Metropolitan Toronto?

**Hon. Mr. Snow:** Other than the safety inspection of vehicles of this particular company, as we do safety inspection of many types of vehicles including regular transit vehicles run by the TTC and others, we have no direct contact with this particular company. This company is under contract with the TTC, which is acting on behalf of the council of Metropolitan Toronto to supply this service. My ministry supplies funding to Metropolitan Toronto to assist it in the supply of this service. The letting of the contract is within the jurisdiction and the responsibility of Metro and the TTC.

We have been monitoring safety aspects with regard to these vehicles very closely. As we all know, the TTC and the contractor, however it is arranged, have purchased a number of brand new vehicles that they have put on the road recently. We are still watching very closely the safety standards of these vehicles, whether they be old or new.

#### ANSWERS TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Wells:** Mr. Speaker, before the orders of the day I would like to table the answers to questions 262 to 265, 269, 273 to 274, 278 to 279 and 297, and the interim answers to 267, 268, 271, 277, 280 to 282, 285 to 288, 296, 298, 309 to 333, all standing on the Notice Paper. (See appendix, page 3566.)

#### ORDER OF BUSINESS

**Hon. Mr. Wells:** Mr. Speaker, there is a change in the order today. We will not be proceeding with the estimates of the Office of the Premier. We will be proceeding to the first order.

#### ORDERS OF THE DAY

##### BUDGET DEBATE

(continued)

Resuming the adjourned debate on the amendment to the motion that this House

approves in general the budgetary policy of the government.

**Mr. Bradley:** Mr. Speaker, I welcome the opportunity to continue my dissertation from a week ago on Tuesday, when I discussed a number of problems affecting Ontario, particularly as they related to the budget that was brought down in the spring of the year.

We all recognize that the budget debate is considered to be of prime importance by members of this assembly; it is easy to note that by the attendance in the Legislature this afternoon. But I was looking at the legislative program for this week and, for a government that is confronted by a number of problems in the health care field, the employment field and a variety of other fields, it is significant that one of the most important acts being brought before the Legislature is one to repeal the Warble Fly Control Act. I understand that, because of representations made, an act affecting the vicious dogs in Ontario has been postponed another week.

One really has to look at the priorities this government has established in terms of its budgetary policy and in terms of its general legislative policy when there is so little on the plate of members of the Legislature in terms of the legislation that is brought forward.

It is a clear indication that the government that sits across the floor from us was intent upon having a provincial election in the fall and had cleared the decks in terms of legislation. What we are having now is a hotch-potch of acts that are of a housekeeping nature, so that members of this Legislature, except during the question period and on other special occasions, are not really being permitted to deal with those items which those of us in particular who represent communities where unemployment has been a major factor, feel are of great significance.

3:20 p.m.

An item that has come up that is of particular interest because of the number of people who are adversely affected, although it is one which has been with us for a number of years of course, is that of plant closings. When I was speaking the other night in the Legislature in the budget debate, I indicated that we in the official opposition had brought forward a number of suggestions to the government that we had hoped the Minister of Labour (Mr. Elgie) and other members of the cabinet would be prepared to adopt as government policy. We consider this to be something of a minimum in terms of serving the interests of those

workers adversely affected by layoffs, particularly when the plant itself is shut down.

I indicated at that time that I was hopeful the members of the New Democratic Party would be joining us in demanding of the government that we have this kind of legislation and would be joining us in establishing the fact that if this government wasn't prepared to bring forward such legislation we would be prepared to defeat this government and replace it with a government that would be prepared to do so.

Last weekend we had a gigantic demonstration here at Queen's Park. Labour councils from across the province, the Ontario Federation of Labour and specific union locals assembled a large number of their members who were genuinely concerned about layoffs. Certainly, in the Niagara Peninsula we recognize that in the automobile industry there has been a significant problem. The spinoff from that has been great. It has had ramifications in other areas and there have also been people adversely affected in industries where we would not expect to see slowdowns, layoffs and plant closings.

The indication in the newspaper is that some 10,000 workers were at this rally to protest job losses. I can recall seeing on television the president of the Ontario Federation of Labour, Mr. Cliff Pilkev, calling for immediate action, suggesting that constitutional matters were not of prime importance and that matters of jobs and long-term security were of importance.

I will not dwell on this at great length, simply because I did speak the other night about our proposals. I would say the Minister of Labour has gone at least part-way to attempting to solve this problem but a long way from what we in the opposition would consider to be reasonable. I am not privy to the deliberations that take place within the cabinet but I would suggest to the House—and I won't ask the minister to comment, because it is unfair to ask him to let us in on the secrets of the cabinet—that the Minister of Labour probably was unable to get the full package that he would like to have seen brought before this House. That's part of the deliberations of cabinet. That's something that a minister has to accept.

Because of some of the pronouncements that he has made in the past and some of the actions that he has taken in other areas of labour legislation, one would anticipate that he would have wanted to see a more meaningful package—perhaps one, if I can use the word "radical" in a sense without appearing to be revolutionary, that would



be somewhat more of a radical departure from what has emanated from the government benches in the past—and that he would have been happy to bring before the Legislature.

I recognize there are forces within that party which may not see this as being necessarily progressive legislation and would see it as having a detrimental effect on business activity in the province, so I can understand that the minister might not have received the kind of commitment and support from cabinet that he would have hoped for.

This is the minister's problem in his fight with his cabinet colleagues, if that's what we can call it, and we in the opposition can say we are simply not satisfied with the package he has brought forward, although those areas where he has moved indicate that he, at least, is hearing from the grass roots in the province that they are concerned.

We saw assembled before us on Saturday, and we have seen assembled in the past, a large number of people whom one might say are from organized labour. They are people whose job it is to represent the employees across this province. So they may have perhaps a political motivation, some would say. Nevertheless, I think if one were to tap the grass roots of this province, one would find the labour leaders are speaking for those whom they represent in this particular issue, if not for those in the party that they recommend to be elected as the government of this Legislature or the individual candidates. I do not think one could quarrel with the fact that they do at least speak for the workers in that item.

Once again I urge the Minister of Labour and the government to re-evaluate that package in light of what they have heard from organized labour, in light of what they are hearing from average citizens in this province and in light of what they have heard from members of the official opposition and the third party.

I would also like to discuss another item of particular interest in Ontario since the beginning of this summer. These are new regulations that were brought forward by the Ministry of Consumer and Commercial Relations, specifically by the branch that is responsible for liquor permits in this province, the Liquor Licence Board of Ontario.

Members will all be aware, particularly those of us who have received representations from service groups and ethnic groups, that this is a very important issue. The Minister of Culture and Recreation (Mr.

Baetz) during his estimates no doubt will talk, as he has talked in the past, about the fact that this government is supposedly interested in fostering multiculturalism in Ontario and encouraging people to preserve those things in their ethnic past which are worth preserving and sharing those with the people of Ontario and Canada and, if we want to be specific, with the people in their own communities. Yet we find this government now embarking upon a liquor control policy which is having a very adverse effect on the fund-raising activities of those groups and other groups.

Last Sunday I had the opportunity to attend a very important meeting of the Folk Arts Council of St. Catharines. One of the largest groups ever to assemble in terms of a meeting of this kind was present. The reason this group was present was to hear about these new regulations and to protest and determine future action about these regulations.

Members of this House will recall that the member for Welland-Thorold (Mr. Swart), after a similar meeting with people in his constituency representing the Welland Heritage Council and multicultural centre, raised in the Legislature this particular matter with the Minister of Consumer and Commercial Relations (Mr. Drea). I think it is rather significant that the minister's response was somewhat less than adequate, certainly in the opinion of the member for Welland-Thorold, certainly in the opinion of members of the opposition and certainly in terms of the opinion of those who are adversely affected by it. I would like to quote from the record as it relates to this.

"Mr. Swart: I have a question of the Minister of the Consumer and Commercial Relations. Does he not now realize that his new regulations pertaining to special occasion permits are going to dramatically lessen the fund-raising of many ethnic, sports and other worthy community groups and, as a result, substantially damage those organizations and the communities where they are? Will he consider rescinding these regulations?"

"Hon. Mr. Drea: The answer to everything, Mr. Speaker, is no.

"Mr. Swart: As a supplementary, I will ask the minister if he does not think there is a problem, and if he does not think there is a problem, how does he explain away the interpretation of his own director of special occasion permits, Mr. W. D. Rolling, to our meeting of the heritage council in Welland last Tuesday evening? Mr. Rolling's presentation so perturbed the 20-plus ethnic groups

that the president immediately wrote a letter to me which said, and I will quote a couple of sentences from it:

"We would ask that you do everything in your power to bring to the attention of the Ontario Legislature that the new regulations, as presented, are totally unacceptable to the culture groups because of the following: fund-raising not allowed for sustaining cultural facilities, such as halls; the price fixing is unreasonable; the people most affected are legitimate community volunteers who shared the advancement of cultural activities over the years."

"Will he now take his head out of the sand, realize there is a problem and resolve it?"

3:30 p.m.

"Hon. Mr. Drea: When dumber questions are made, buddy, you will ask them. Just cool yourself. I draw the honourable member's attention to the Hansards of the procedural affairs committee where his colleagues were complimenting me and patting me on the back for the very intelligent approach I was taking on this problem."

"Mr. Breagh: Mr. Speaker, I want to object to that. There was no patting on the back and no complimenting going on. There were some questions and answers."

No doubt this kind of answer sometimes comes about in the House because there are exchanges of this kind between a critic and a person who has been under considerable fire. The member for Welland-Thorold has taken it upon himself on many occasions to question price increases and to ask some rather embarrassing questions of the minister. So it is understandable that the minister might well be annoyed when he sees the member for Welland-Thorold stand to ask a particular question. If one had been as much a thorn in the side for the minister as the member for Welland-Thorold, one could anticipate that might be a reaction.

We in this House know, however, that it is unsatisfactory, regardless of the personalities involved, for a minister to say in reply to a question, "When dumber questions are made, buddy, you will ask them." That is a totally unsatisfactory answer to what I think is a legitimate question, and a question that has arisen not out of members of the Legislature wishing to drum up some issue, but members of the Legislature reflecting a viewpoint expressed within the community, by members of the community who are doing their part to better it.

We find regulations being brought forward that are going to limit the number of fund-

raising permits allowed in a particular year and that are going to limit the number of special occasion permits. As devastating as that are the price limitations that have been placed on the special occasion permits.

These groups—and they do not qualify under this—must maintain on an ongoing basis the buildings that they construct. They qualify for capital grants from the Ministry of Culture and Recreation and are encouraged to open up these facilities and to share them with the communities in which they are located. Then we find out they are thwarted in trying to maintain them—and we all know that maintenance costs are very large costs, often over the long run greater costs than the capital costs—through fund-raising activities.

Both the member for Welland-Thorold and I have found this, and I am sure other members of this Legislature have as well, in meetings with different heritage and ethnic groups across this province and other groups who are affected as well. I should not limit it to them alone, although they have been the groups which, to this point, have been most vociferous in their opposition. They are now being limited in the opportunity to continue the kind of fund-raising activities to permit the ongoing maintenance of their particular buildings.

What we are going to have is this situation. The government across the floor likes to say it does not want government intervention. They like to be characterized as the government that is going to free the people of Ontario from regulation and to encourage the private sector and the volunteer sector to carry on the kind of activities many people would like to see transferred to government.

If they want to do that, if they want to avoid budgetary expenditures in the form of substantially increased grants, then they must permit these people to raise their funds in a manner to which they have been accustomed in the past. That is going to be limited by the kind of pricing policy we are talking about.

The government either has to increase the grants to these organizations—and I say increase them significantly and substantially—or it is going to have to allow these people to operate in the private sector as it is and in the volunteer sector. I am sure most of those people would prefer to raise their own funds if given the opportunity to do so.

Yes, they do need some government funding because the kind of activities they are carrying out now are activities which perhaps were not contemplated in the past. We have had an influx of people from other countries



who are unable to speak our language, many in the refugee situation from Asia, refugees from the Vietnam war and from Cambodia. These are people who require special assistance, people who came here with largely no assets.

If we are going to ask multicultural centres across this province to contribute to blending these people in with our population, allowing them to learn some Canadian ways—language, for instance, and everyday practical things involved with living in our society—then we are going to have to provide reasonable funding in the form of grants. We are also going to have to allow them the opportunity to participate in fund-raising activities.

The new regulations are pretty devastating in the limitation on what can be charged. I would make this prediction in the House today: with the kind of pressure that is being exerted by these groups and by members of the opposition, we are going to see an increase in the prices allowed to be charged. There just has to be and that is a prediction that is pretty easy to make.

At the present time, for instance, except for events conducted under permits issued pursuant to section 35 and 36, the maximum price at which liquor may be sold at an event under a special occasion permit is: for draft beer, five cents per ounce; for beer, 65 cents per 12-ounce bottle; for imported beer, 20 cents per bottle in excess of the purchase price from the Liquor Control Board of Ontario store; for spirits, 80 cents per one-ounce serving, \$1 for a one-and-a-quarter-ounce serving, or \$1.20 for a one-and-a-half-ounce serving; for wine, a price per glass or bottle that does not yield more than 50 per cent in excess of the total price paid per bottle to the LCBO.

One can understand where the lobby is coming from. The hotel associations apparently are seeing a threat to their businesses. They are making the argument that they are subjected to certain restrictions by the LLBO, they have to pay taxes, they have to fit into all the government regulations, and so they deserve some protection from the provincial government.

Also, if one were to investigate the records at the Commission on Election Contributions and Expenses, one would see that significant amounts of money over the years have probably gone into the Tory coffers from these people who have felt it is in their interest. Or perhaps they just believe in the philosophy of the Progressive Conservative Association; I will be kind enough to say that might be the motivation they had.

But no doubt since they are regulated by the provincial government through the LLBO and the LCBO, it might well be that at least some of them have made their contributions in the past on the basis that regulations might be enacted which would be favourable to them.

Some people have the wrong idea that all members of this Legislature have been able to pass judgement on these regulations. I think it should be pointed out these are regulations that have been implemented within the Ministry of Consumer and Commercial Relations without the assent of this Legislature, because the assent of this Legislature is not required. I think that is an important point, because some of the people we represent are saying to us, "Why are you people in the provincial government doing this to us?" Members of the opposition have to explain, "We are not the ones who are implementing it; we didn't even have the opportunity to comment upon it when these regulations were being brought forward internally."

No doubt there are some members of the governing party in this province, the Progressive Conservative Party, who are feeling some heat and who might well disagree with these. One has to wonder whether the backbenchers have ever seen these regulations before they were implemented. They too represent a significant portion of the population in Ontario and no doubt would feel the same concerns that we in the opposition have.

I would hope the provincial government, through the LLBO, would be prepared either to get out of the business of regulating the prices or place the maximums somewhat higher than they are now. One might well ask, "Why not let the market set the price?" We keep hearing about the free market over there and we in the opposition, when we talk about regulation, are chastised for our contribution to a debate when we talk about limiting prices here and there.

3:40 p.m.

We do not have wage and price controls at this moment in this nation or in this province, and one might well ask, in keeping with the philosophy of the government, why they do not let the market set the price. Some might suggest there should be some controls. But why should we select prices at the low end of the scale? The answer is obvious. The heat is on from the Hotel Association lobby, and that is why the prices are being held down.

Another factor that must be taken into consideration is that the people who are

going to the events sponsored by ethnic and service organizations are not, generally speaking, the people who are going to participate in activities within a licensed beverage room in a hotel. They are not going to be pouring out of the beverage rooms and into the ethnic halls of Ontario and into the service-club halls of Ontario because of any particular regulation. If I or another member of this Legislature or a member of the general public happened to go to one of these events, I have the opportunity to purchase or not, regardless of the price.

It is very likely that the consumption of alcoholic beverages will increase substantially because of the low prices charged. Therefore, those on the government benches who are interested in preventing alcoholism or excessive consumption of alcohol at a particular event are really working contrary to that by suggesting the prices must be held so low. If I or any other member of this Legislature or any member of the general public wants to pay \$1.50 for a bottle of beer or \$2.50 for a shot of whisky, that is the prerogative of the individual. I do not have to purchase it if I do not want to at that price, if I do not like the price. Therefore, the free market in this case seems very reasonable.

I really do not see the necessity of the government intervening in this particular place to set specific prices that may be charged at these events. The individual has the opportunity to decide whether he is going to purchase. It is not an essential product, so it is not as though they are allowed to gouge the public for anything that would be absolutely necessary to health, happiness and prosperity.

There is another aspect of this policy which is of great concern and which I heard through the grapevine—I guess it is reasonable to say when we are talking about liquor legislation and the importance of the wine industry in Ontario that one would hear it through the grapevine: It is said that the government would save or be ahead by some \$500,000 by the new policy that has been brought about. Effective immediately—and this was July 2, 1980—the levy charged on sale permits, except for weddings, has been increased as follows:

On each bottle up to and including 18 fluid ounces of spirits, 75 cents; each bottle over 18 fluid ounces and up to and including 30 fluid ounces, \$1.50; each bottle over 30 fluid ounces, not exceeding 50 ounces, \$2.

On wine, each bottle up to and including 40 fluid ounces, 75 cents; each bottle over 40

fluid ounces, and up to and including 80 fluid ounces, \$1.50; each bottle over 80 fluid ounces, \$3.

For beer, each case of six 12-fluid-ounce bottles, 35 cents; each case of 12 12-fluid-ounce bottles or cans, 75 cents; each case of 24 12-fluid-ounce bottles, \$1.25; each case of 12 22-fluid-ounce bottles, \$1.25; and each keg of 12.5 gallons, \$9.

The levy has increased once again. The amount people have to charge to make any kind of profit has to be increased. We also find out that anniversaries are now to be adversely affected because of changes in the legislation. Only weddings are going to be exempted from certain aspects of the legislation.

Surely it is not necessary in Ontario for changes of this kind to be brought about merely in response to complaints from a vested interest and a lobby which has long supported the governing party in this province, both in terms of manpower at election time and in terms of financial contributions. The time is past, surely, in 1980 for these kinds of favourable regulations to be granted because of a powerful lobby which adheres to the governing party.

I implore that government, specifically the Minister of Consumer and Commercial Relations, to relent to the representations which are being made by well-meaning people across this province, by people who have made a contribution in terms of the cultural and heritage life in this province, and in terms of service to their communities. I implore that he will relent by abolishing any particular limits on prices to be charged, that he will not gouge them with these new levies, and that he will not demand the collection of the sales tax up front.

Many organizations do not have that kind of money to put out up front before the event has taken place. It is my hope that the people who were assembled at the meeting of the Folk Arts Council of St. Catharines and who were assembled in Welland at the Welland Heritage Council will recognize that members of the opposition have fought for them and I hope the government is prepared to respond. It only awaits now the contribution of the Minister of Consumer and Commercial Relations in the form of an announcement to this House that he is prepared to abandon what is essentially a bad policy.

I would like to go on to certain other areas of interest to members of this House. These are items which I think are very



important to the people of Ontario in terms of health, for instance.

Over the years, because of the large amount of money that is spent on health in Ontario, many questions have emanated from opposition benches about the health care system in this province. At any hospital at the present time, one need only talk to the staff who are on duty to hear how they feel. I, for one, talked to the doctors and I must say that in the past the doctors have not been those in the forefront of those being critical of the provincial government over anything other than salaries and certain other specific policies relating to the medical profession. The doctors have never been particularly enamoured with members of the opposition who have spoken on health care problems in the past.

But they recognize, and the nurses and the other professional and nonprofessional staff in hospitals recognize, that the cutbacks are now having an effect on the quality of medical care available to the citizens of this province. There is a revolt building in this province over hospital bed closings.

Instead of the Minister of Health (Mr. Timbrell) saying we are going to cut down from these prescribed figures we talked about—say, four per thousand, 3.5 per thousand, and so on—I suggest there is a need for an increase in the number of active treatment beds. We can walk into an emergency department and an admitting department of a hospital and find people now on stretchers, I do not like to say out in the hallway, but certainly in rooms which do not hold hospital beds. These people are there for emergency purposes yet there is not room in the hospital for them.

There are many people who require elective surgery which has been postponed for a good period of time. They may make arrangements, for instance, in terms of time off work, in terms of their family obligations, and so on, so that they can be admitted to a hospital, only to find out at the last minute that they must cancel their operation. This is a great inconvenience to the public. It may have a detrimental effect on the health of that individual person.

Hospital bed closings are not popular with this province. I will say again, as I have said in this Legislature on many occasions, it is my belief that the people of Ontario are prepared to pay for good medical care. You are not going to hear an outcry about an increase in taxes when it can be seen that increase is going directly to the provision of adequate medical care.

The Premier (Mr. Davis) and the Minister of Health extol the virtues of the medical care system in the province of Ontario. Indeed, in the past, one could probably say that we had one of the best medical care systems in the world. At least, I finally believe that after having heard it in Tory advertisements year after year. I think if one were to investigate the system, one would find that was probably true in the past. With the change in priorities, with the new movement towards efficiency—and I think we all want efficiency—we find some of the things we do not consider frills but essential items in the health care system are being pushed into the background.

We find whole wings of hospitals are being closed. In smaller communities—and that has been an issue for some time now—this is pretty devastating, but even in the large urban communities this is having a significant effect. I implore the Minister of Health not to be closing down hospital beds that are required for active treatment purposes. We find the food and services available to hospitals have to be diminished because of cutbacks in funding.

It is not the fault of the personnel who are there; many of them are very much overworked. I think of some of the nurses on duty at times who have so many patients to look after, many of whom are patients who may require emergency care from time to time. These people find themselves in the position where they have to carry on where two or three people might have been available in the past. We worry very much when we see cutbacks there. There are layoffs in food services, cleaning services, laundry services—all services essential to a hospital. Not only are we concerned that the health care system is adversely affected by that but also that the employment situation, which is not particularly good in this province, is also adversely affected.

We have within the health care system a number of people who are very good. I am sure we would all commend those doctors, nurses and other personnel who have done such a good job over the years. It seems to me that these people require the best up-to-date equipment available to carry out their duties in an appropriate manner. There are many doctors whom we call family doctors, the old GPs, who are doing yeoman service on behalf of their patients but who are met with frustrations with bed closings in hospitals and other cutbacks in the medical care system.

I think of my own doctor in St. Catharines, Dr. James Wright, who certainly is a fine example of an individual who has dedicated his life to the service of people in terms of the medical care he renders. There are Dr. Wrights all across this province who are doing the same thing. Surely, in fairness to the kind of job they want to do, it is necessary to provide adequate funding for the medical care system.

I think of another doctor, Dr. Joel Cooper, who is at the Toronto General Hospital. He is also a man who, through the auspices of the University of Toronto teaches those who want to enter the medical profession. Dr. Cooper is a surgeon in a thoracic care unit at Toronto General and is an individual to whom I personally am indebted for an operation he performed on a member of my family—a very miraculous operation.

When I look at the work that a gentleman of this nature is doing on behalf of medical science and medical care and on behalf of individual people in this province, I think it is mandated that members of this Legislature provide the facilities that an individual of this kind requires and the kind of climate required in this province for a person of that nature to practise the kind of almost miraculous medicine he does.

We have people such as Dr. Cooper who are going out and raising funds in the private sector and who are doing a good job in that regard but who no doubt would like to see the necessary facilities available to the population. There has been a great controversy over the CAT scanner unit which is available in some hospitals. The capital funding is provided, the unit is purchased and then the funding for the ongoing operation of this unit is not available. I am sure members in Metropolitan Toronto recognize it is a problem, as do members across this province.

I think we have come to a pretty good consensus in this Legislature and in this province that medical care personnel should be paid properly and commensurate with what they have in the past. Their economic position should not be reduced in terms of what it was in the past. Once that goal is met, once we have fine-tuned the payment system for the Ontario health insurance plan to the extent that it is satisfactory in terms of the time at which they receive their payments, the method in which they receive their payments and the level of those payments, when we have reached that particular juncture I think we will find we will have very few doctors who are choosing to opt out of the program that has been so

successful over the years known as the Ontario hospital insurance plan.

We should as well be attacking, and we do through funds from the Provincial lottery, many of the dread diseases that face us. Over the years in this province, in this country and in the world, we have wiped out some of the diseases which had such a devastating effect on the population in terms of leaving people either dead or maimed for life or sick in a chronic way for life. Because of the expenditure of funds, because of the commitment of individuals, because of the talents that have been possessed in the medical profession and ancillary professions, we have been able to wipe out many of these diseases.

A young gentleman who received the highest order in Canada, Terry Fox from British Columbia, set a prime example for all of us in terms of wanting to fight disease, particularly the disease afflicting Terry Fox, the disease of cancer, which has affected our own families, our friends and the general population. This disease has taken a tremendous toll and has left many people maimed and many people very ill on a chronic basis.

I think we as individual citizens have the opportunity to follow the leadership of a person such as the courageous Terry Fox in providing private funding. But in addition to this, it seems to me that government funding is necessary if we are to carry out a real war on disease.

At the present time we have a war going on in Iran and Iraq. The billions of dollars being spent on armaments and on the mobilization of troops, if devoted to a war on disease, would have a dramatic effect. Yet we in the human race seem to be prepared to spend money on armaments, on those things which are destructive of mankind to a far greater extent than we should and we tend to neglect on many occasions those things which are essential to the future betterment of mankind.

I call upon members of this Legislature, the government opposite indeed of the federal government and the population as a whole to begin a concerted war on the major diseases that are affecting mankind today. It is my hope that the government will play the role it should be playing in this regard.

**Hon. Miss Stephenson:** We have been waging that war for some time now.

**Mr. Bradley:** I recognize that there has been some progress. I think I paid tribute to those in the medical profession and others—



I even mentioned the Provincial lottery—where this war has been going on. At least certain battles have been taking place. I am calling for a major war on it, an increased effort, which I am sure the Minister of Education would agree is necessary.

**Hon. Miss Stephenson:** I would agree wholeheartedly, if you will persuade your federal colleagues to devote more money to research in that area, which they have been niggardly about for at least 35 years.

**Mr. Bradley:** I am very happy to hear that the Minister of Education, a person very familiar with the medical profession, is prepared to lend her support to that, and no doubt she has on many occasions spoken out in the past on that. It is a team effort, and I recognize also that whenever there is a role to be played by the government that governs all of Canada, that it is the federal government, members opposite will be more than happy to counsel us in the opposition to counsel the federal government to do its part.

However, as I have mentioned in the past, I am elected as a member of the Ontario Legislature by the people of the provincial constituency of St. Catharines and so at the present time at least, in my budget speech, I will call upon the government to take actions which I feel are necessary in the Legislative Assembly of Ontario.

Since the Minister of Education is here, it seems appropriate that I should speak for a few minutes about the education system in this province and the state of affairs we have reached. I think we have so many dedicated individuals across this province. Education has come under a lot of fire and it is a logical target because everybody is involved in education. As I mentioned in the Legislature the other day, I have been involved in the past as a teacher on the front line of activities that take place.

4 p.m.

The overwhelming majority of teachers and those in administration and parent groups and people within the Ministry of Education are dedicated to providing quality education in the province. This does not mean we have reached a state of perfection or even near perfection. We have seen certain trends that some of us disagreed with over the years.

For instance, if we look at the problem of discipline in the schools today, the former director of education in Lincoln county, who now has a position with the Education Relations Commission, Mr. D. Rodger Allan, in many of his public speeches stated it is

difficult to run a hard school system in a soft society. Some would say that this is a very realistic approach to take. Others would say it is a cop-out for the education system.

I am inclined to believe that education would be bucking a trend if it were to re-trench in the way of the very old disciplinary methods. Nevertheless, I took a survey. We all send out newsletters, I am sure, to our constituents. In the last one I sent out I asked this particular question, and I realize it is straightforward and perhaps would be inclined to evoke a particular answer: "Would you support stronger discipline in our schools?" Of the 10 questions I asked, that one received the highest affirmative vote. Some 92 per cent of the people asked, talked about the need for more discipline in the schools.

I don't want to sound as if I am going back to the Middle Ages in terms of the kind of discipline that should be meted out. But it seems to me when we are enacting legislation favourable to children in this province, favourable to civil rights in this province, we have to be very careful that, when applied to the education system, that kind of legislation is not going to bring about chaos. We know south of the border that certain court cases, certain legislation and certain policies of boards of education have almost resulted in anarchy in some of the schools. There are some people in this province who advocate transferring that nonsense north of the border.

The Minister of Education would be well advised, as no doubt she is, to resist the counsel of those who would want to bring about anarchy in the classrooms and the hallways of our schools. Indeed, as a member of this opposition, I asked questions last year about the Petty Trespass Act in regard to violence and vandalism in the schools. As a result of, I believe, a committee report that came forward from secondary school headmasters in this province and representations made by the members of the opposition—and I think the feedback received by members of the ministry—certain representations were made to the Ministry of the Attorney General to have the Petty Trespass Act changed and those changes have been very favourable.

**Hon. Miss Stephenson:** It was a tripartite committee, not a committee of headmasters.

**Mr. Bradley:** The minister corrects me. It was a tripartite committee. I know the headmasters had made representations in the past but I appreciate that clarification.

**Hon. Miss Stephenson:** They participated.

**Mr. Bradley:** I think what is positive that has come out of that is the kind of changes needed to put some teeth into legislation necessary for principals, vice-principals and teachers to get rid of those people who come into schools, who have no business being there and are often the cause of the vandalism and the violence that does exist, and indeed some of the other illegal activities the public is so concerned about.

I look at situations, and I am going to be critical of the courts in this case, where teachers have taken it upon themselves to take certain actions—not necessarily under the Petty Trespass Act. A lawsuit comes forward or there is a charge of assault laid against that teacher. I wonder whether some of the judges really know what they do when they allow that charge to go through. When a teacher is charged, it really places the teachers of Ontario in the position of saying: "Why the heck should we enforce these laws if we are going to be called before the courts, if our teaching position is going to be placed in jeopardy, if our position of prestige"—if there is that position of respect within the community—"is to be sustained? How is it going to be sustained if judges are going to render decisions against us when we are trying to carry out what the people of this province say they want in terms of discipline?"

So when many parents say the teachers are not disciplining any more—I realize that is a general statement—in some cases it is because they have not received the backing of the courts or perhaps certain individual boards of education that may be reacting in the wrong way. Every time a decision of this kind is rendered by a court, the discipline in the province's schools is diminished considerably and the incentive to discipline is diminished considerably.

There is a saying that the judges in the United States read the Gallup poll. I am hopeful the judges read the speeches that take place in this Legislature, that they listen to the representations that are made by parents' groups across this province. They should recognize that if they are going to allow the troublemaker to lay the charges and get convictions on very questionable evidence, they are going to encounter in this province in the years to come severe discipline problems.

I think we are also concerned, because we are talking in the budget debate, about finance in education and the fact that the provincial share in terms of percentages in

most forms of education has been reduced. We recognize the province wants to cut back its expenditures to meet its oft-stated goal of balancing the budget, but the cutbacks have been at the expense of local boards of education, which then have to make choices.

I was talking to the Minister of Education the other day about universities, specifically Brock University. I talked about the program where grade 12 students over a very intense summer course were able to enter university after that and mentioned that this was a popular program. I know the minister said the funding is going to end, but these programs have been implemented by the Ministry of Education over the years. When the funding is withdrawn, the local boards then have to make a decision whether or not a popular program is to be continued. In this case a university has to make the decision whether it must take its funds from somewhere else to pay for this program.

**Hon. Miss Stephenson:** That's not so. Name me one in which the funding has been withdrawn.

**Mr. Bradley:** I am just stating one—the Brock University situation where the funding has been—

**Hon. Miss Stephenson:** That's the Ministry of Colleges and Universities, not the Ministry of Education.

**Mr. Bradley:** I recognize that, but that is a good example. I will provide examples during discussion of the estimates of the Ministry of Education which I know she is very anxious to have. I can go way back to when her boss was the Minister of Education and some of the programs were ones he implemented.

Now we have boards of education facing a situation where the province is assuming a diminishing percentage of the cost of education within communities. Therefore, the regressive property tax must take up the slack. It works to the convenience of the provincial government because the local people are the ones who have to accept all the flak from the electorate.

I would hope the ministry would take another look at that aspect of financing, particularly with a provincial election coming up, and might be more generous to the local boards.

We also have talked about the need for more technical education or at least a re-emphasis on it. I think all in the education profession, parents and the Ministry of Education, share a situation where, for the past 10 years or so, it was accepted that the so-called best kind of education was academic



education where someone went through and ended up in a university with a university degree; that was the ultimate to be sought. Therefore, there was somewhat of a de-emphasis by our society on the requirements for technical education.

This is showing up now in the fact that we have a deficiency in the number of young people available to take jobs in the skilled trade areas. We have been very negligent in this province, and I think in many parts of this nation, in implementing the kind of apprenticeship program that is necessary to attract young people to it and prepare them for the work world.

Now we are seeing a movement in this direction, but it is still very frustrating for many of our young people. They are the ones who are unable to enter these apprenticeship programs, because they are not there in sufficient numbers or the programs are not particular to their interests and aptitudes.

I think we are seeing a movement back towards the re-establishment of standards. I could see the changes in my 10 years in education. What was expected of students 10 or 15 years ago in terms of their academic standards and what is expected now are two different things. Some would say what the minister is advocating is an elitist education. That is the counter-argument that is made, that it is an elitist education: make things as hard as possible and only a few will survive the competition.

4:10 p.m.

I am not suggesting we do that. However, I am suggesting we take a good look at standards, and perhaps that will come out of this secondary education review project. One of the things the public will react to, at least those members of the public who are there, are the standards that are there to be judged.

Look at the universities. Many of them in the last few years have placed somewhat less of an emphasis than they did in the past on what a student has achieved in grade 13 as being important for entrance.

**Hon. Miss Stephenson:** Did you read Harvey Currell in the Sun this morning? I would suggest you read it.

**Mr. Bradley:** No, but I did cut it out and I will be reading it later on. I caught a little bit of it where he said the universities should look at themselves and not admit those students. That is a problem for the Minister of Education, but I am asking that

we look very carefully at the standards that are accepted in this province.

Talk to the individual teachers. They know the standards are down. The top students are still top students, I accept that fact. We have some excellent students still going through the system who are subjected to a very good education system in areas of this province and very good teaching techniques. But there is a feeling among teachers and parents that the general standards that are being enforced or accepted are somewhat down from what they were 10 or 15 years ago. The minister can quarrel with me on that.

**Hon. Miss Stephenson:** In what areas?

**Mr. Bradley:** In terms of what a student has to do to achieve a certain mark today. One of the reasons is because of declining enrolment.

**Hon. Miss Stephenson:** That has nothing to do with it.

**Mr. Bradley:** That certainly does have something to do with it.

I used to have the secondary school teachers come in at the end of the year to the elementary school and they started this program of having to sell their subjects to the students. "We go on 15 field trips. We have fun, fun, fun." If they did not come in and sell that teacher's particular area—let us say Latin, for instance, which is one area where the number of students has diminished—they would not have sufficient students taking that subject and therefore that job might be placed in jeopardy. So it was to be made a fun project and an area where the student could get high marks, where the marks were not too hard to get.

I attribute part of that to declining enrolment, to the fact that there are so many teachers in the system and a diminishing number of students. Therefore, I express concern about that and I think if the minister really talked to the front line people she would find that out.

The people over there, when they do a project, are too busy talking to the principals, vice-principals and consultants and all the upper echelon of education to talk to the classroom teachers who have to face the day-to-day problems.

**Hon. Miss Stephenson:** I have three in my own family, for goodness sake. I hear from them daily.

**Mr. Bradley:** One would think that the minister would accept their counsel. Perhaps it is the officials of her ministry who do not listen, rather than the minister.

I spoke about the Duncan Green commission and the fact that I felt there was lack of adequate representation from those in the Ontario Public School Men Teachers' Federation and the Federation of Women Teachers' Association of Ontario. The minister denied that was the case.

**Hon. Miss Stephenson:** No, I didn't.

**Mr. Bradley:** Well, she did deny—

**Hon. Miss Stephenson:** No, I said I was aware there were teachers there, and they were primarily from OOSTF.

**Mr. Bradley:** The minister seemed to imply—and I think if we got the Hansard out we would find it—that things were all right, that the elementary panel had representation which was enough to satisfy the minister.

Also, I brought out the fact that the average classroom teacher in the secondary school system did not have representation on that committee. I am talking about the front line, full-time teachers. This was told to me by a principal and I went through the list.

**Hon. Miss Stephenson:** They had lots of opportunities for participation through submission of briefs.

**Mr. Bradley:** Submissions are not as important as having the front line position on the committee.

**Hon. Miss Stephenson:** Oh really? Well, you are wrong.

**Mr. Bradley:** That is right. If the minister really felt those people could make a contribution she would have put them in front line jobs, and she didn't do that.

I won't harangue the minister further with matters of education because I know the member for Scarborough-Ellesmere (Mr. Warner) is waiting patiently to make his contribution. I was under the impression that he would arrive somewhat later and I was prepared to speak until such time as he arrived, but he is here at the present time.

Another item I would like to deal with involves the constitutional question before us. The money that is being spent by the provincial government for the Ministry of Intergovernmental Affairs really relates to the constitutional question. Therefore, I think I am justified in speaking on it. I commend the member for Humber (Mr. MacBeth) who, as chairman of a very important committee dealing with constitutional and national unity matters, has exercised the kind of judgement and concern over national unity we feel is quite necessary.

I would like to say that we in the opposition—and I think all members of this House

are pretty well united in this—with certain reservations accept the official position of Ontario which has been enunciated. We speak with one voice on most constitutional issues. When the Premier, the Minister of Intergovernmental Affairs and other cabinet ministers were at the conference with invited guests or observers from the opposition parties, it was good to see that we were of one voice and that we weren't dickering about an item so important as national unity and the constitutional changes that would result from this debate. The Premier is unable to portray the opposition as being unpatriotic in this regard. We see a situation where the Premier, speaking on behalf of members of his party and I think of most members of this House, is supporting the position enunciated by the federal government in terms of the constitutional package it has talked about.

I can't speak for individual members of the committee, except that I notice a couple of things that always concern me. The Premier is a statesman at these conferences. He says he speaks for the people of Ontario, that he has no significant opposition among the opposition parties, and that he is prepared to look at things in terms of a national viewpoint. Then when it comes down to the crunch we always have to get the words "institutional bilingualism" in this Legislature. We have the Premier pointing at the opposition benches saying, "Unlike the opposition parties, our party and our government does not favour institutional bilingualism," as though to crack the wrists of any members of the opposition who might be able to speak for any significant change in those rights which should be accorded to the francophone minority in this province.

Recognizing that in terms of an election, the overwhelming majority of people in this province might express or might have in the back of their own mind a concern about this vague thing called **institutional bilingualism**, something that is supposedly going to force them to speak French, I think what detracts from the Premier's speeches in the House is the fact that he has to make this aside to the members of the opposition every time we are talking about constitutional packages or the constitutional debate.

We have seen in the committee itself, I understand—I have not had the opportunity to be in attendance—seemingly somewhat of a split between the government members of that committee and the Premier. The Premier enunciates a position in favour of francophone rights, educational rights where num-



bers warrant, that is, generally stating the federal government case and the case that has been supported by the Premier of this province.

**Hon. Miss Stephenson:** That has been the Ontario position.

**Mr. Bradley:** That has been the Ontario position, as the minister has suggested, except when we get into committee and we start to listen to some of the individual members of that government talk about this. One would find it hard to believe those members of the committee are on the same wavelength as the Premier or as the Minister of Education, who says this has been the government's position all along.

4:20 p.m.

Perhaps in the councils of the Progressive Conservative Party and the Conservative caucus there might well be another discussion of this issue to determine whether the individual members are speaking for the government or only for themselves when they deviate from what is the stated policy of the government of Ontario in this regard.

As a member of this Legislature—in terms of the national debate a rather insignificant individual, representing 52,000 eligible voters in my constituency; perhaps more now—I have a feeling that we in Ontario have adopted the right viewpoint. I recognize it is in our vested interest to have a strong national government because we have enjoyed the benefits of one. I feel that because we are central to Canada economically, politically, geographically, we can still maintain a federal system with a strong central government that still reflects regional points of view.

I would hope the federal-provincial conference does not completely supplement the meetings of the federal cabinet and of the House of Commons as a place where policies which affect all provinces or all regions are discussed and where policies are actually put into effect.

I would hope we do not end up with 10 fiefdoms across this country. That is easy for a person from Ontario to say. But I am concerned when I hear some of the bitter statements that are made—I think members of the select committee on constitutional reform encountered this, and some of them might have been surprised and perhaps some not—the hostility that was encountered in certain parts of this country against people who happen to be members of this Legislature, who aren't anti-western, or anti-eastern, or anti-Quebec. The feeling of ani-

mosity towards Ontario is something that concerns me very much. I think our people, and members of our Legislature, are people of goodwill, people willing to share their resources. I think they agree to policies which are going to help and strengthen other regions. I'm hopeful this can be broken down.

I don't have any magic answers. Members of the committee who dealt with this on a firsthand basis perhaps have some of the answers. I will be interested in hearing them when that debate actually takes place in the House when the report is presented. I'll be very interested in the contribution made by those members at that time.

It is my feeling that if we are to allow the federal government to be emasculated in any meaningful way we are really going to terminate this nation as we have known it. We are going to have regional economic units which might well be strong, and certain regions stronger than others, but the meaning of nationhood is going to be completely gone if we are allowed to go in 10 different directions, or if we break down into four or five different blocs.

I commend the Premier of Saskatchewan on the stand he has taken. He has been hardline in terms of certain issues he feels very strongly about. I always listen with a good deal of interest to his comments because I think he is a committed Canadian, and a Canadian first. That seems to me, as an outsider, to be a difficult position to hold in western Canada. Yet he was one of the Premiers who refused to agree to take the federal government to court, who preferred negotiations, who preferred compromise, who preferred consensus to confrontation of a legal or political kind.

He is a man who has resources. He has oil resources within his province—not the kind of oil resources available to Alberta but nevertheless oil resources. The position he has taken has been significantly more moderate than that of the provinces to the west of his, and more moderate certainly than the position taken by the new Premier of Newfoundland, who apparently now, with the smell of oil off the shores, has decided offshore resources should be exclusively under the powers of the provincial government except when it comes to environmental concerns such as spills.

Perhaps I am being, as the Premier would term it, provocative or not speaking in national unity's best interests when I pick out these positions. But I would hope that the moderates of this country—the moderates in the federal scene, the moderates in the

provincial scene, such as the Premier of Saskatchewan and apparently the Premier of New Brunswick, and certain others who, upon reflection, could be moderates—will win out in the debate and we will stay together because there is a will in this country to stay together, because there is a feeling that we have more to gain, not only in concrete terms, not only in material terms, but also in emotional and patriotic terms, in staying together as a nation.

I commend those members who served on the constitutional committee. I look forward to their contribution to the House when the actual debate takes place. I think they have provided a service to members of this House and to the province by investigating the problems that exist across this country and by attempting to develop a consensus by members of all parties on what we feel the future of this country should be.

I thank the members of this House for their tolerance at the length of this particular speech, particularly the member for Scarborough-Ellesmere, who is next on the list and always has an interesting contribution to make to the debates of this House. I just ask that the provincial government, the Premier, the Treasurer (Mr. F. S. Miller) and the other ministers respond favourably to the representations I have made on a number of issues and to the representations made by members of other parties.

**Mr. Warner:** Before I begin it is, as you know, Mr. Speaker, customary for speakers on the budget and throne debates to pay some respects to the chair. In this instance, it is more than a custom because the guidance you provided in that position is certainly respected and deeply appreciated by many members of this House.

I think we are fortunate because we had a number of them. We have had the Speaker (Mr. Stokes), the Deputy Speaker and Chairman (Mr. Edighoffer), and the Deputy Chairman of the committee of the whole House (Mr. MacBeth), who have provided some very solid leadership in terms of the House and the committees. I appreciate it.

I did get the message. As you know, we were slated to deal with the Premier's estimates this afternoon and I got a message to hurry down here. There were obviously two errors in the message. First, I need not have hurried down and, second, I understand the Premier is ill and we were not changing the order of business because he resigned. So those errors have been corrected. I certainly wish him a speedy recovery from his illness and trust it is not particularly serious.

I welcome the opportunity to speak this afternoon because it comes on the heels of a unique and one of the largest demonstrations that has occurred in the history of this province. It occurred on Saturday outside this building, where some 10,000 very frustrated, angry and bitter residents of this province gathered to show their displeasure with this government. They came from every corner of the province. They brought with them the symbols of what this government is all about, caskets.

**Mr. Haggerty:** It was almost in the same category as the Labour government in England—all this protest by union members.

**Mr. Warner:** There is no reason why the member for Erie cannot wait for his opportunity to make inane remarks, although if he wishes to make them out of order that is fine.

4:30 p.m.

Symbolically, of course, the people who gathered here on Saturday were talking about the greatest threat residents in this province have had since the Depression. It would appear that, because the government stands idly by, we are going through a deindustrialization period.

The plants that close are so numerous it is difficult to keep up with the numbers. Workers are thrown out of work. Since the beginning of this year, 1980, more than 65,000 people in this province have been thrown out of work due to plant closures and layoffs. The number increases daily. There seems to be no end to it, and this government sits idly by.

There is a reason why they sit idly by. They are now reaping the results of their policies over the last several decades. What else could we expect but that plants would close in Ontario when we do not control our own economy. Our economy is manipulated by companies which reside outside of Ontario; in fact, outside of Canada.

I find it interesting that while there is all this talk about repatriating the constitution—while it is important and necessary, I guess there are a few members of this Legislature who would condemn the act of repatriating the constitution—the government cannot find any time to discuss repatriating the economy. Surely that is essential to the people of Ontario. Surely we should be directing our economy, not the boardrooms of offices in New York City, Chicago or any other place. Those decisions belong here in Canada and, of course, wherever possible in Ontario. We now inherit the end results



of decades of those decisions being made elsewhere.

There are so many examples one could use. But the one that comes immediately to mind is the Houdaille bumper company in Oshawa, a company that for more than 50 years—half a century—was keeping hundreds of people at work on a regular basis, was producing profits, was highly competitive, was in every sense a very good company. It was the kind of company that represented stability, the kind of company the workers felt secure working in. Suddenly came the announcement—no explanation, no reason given, very short notice, no severance, no pension—they were going to close the doors.

Unfortunately for that plant, the workers had a collective agreement and they were organized. The workers decided they were not going to take this lying down. They were not going to simply roll over and play dead. They eventually ended up occupying that plant and the message was clear, "At least give us some decent severance pay and some pension for the years of work we put in, for all our efforts to turn high profits for the owners." The company pleaded poor, and said they were closing the plant because they could not make any more money out of it; they were having economic ills and they had to sell the plant; they were forced to do that. None the less, they came up with a deal which guaranteed better severance pay and better answers on pensions.

Lo and behold, a few weeks later we learn this same corporation, headquartered in the United States, can now invest something in the neighbourhood of \$600 million in other enterprises in the United States. Obviously, we were hoodwinked; the government was hoodwinked. Houdaille could do what they did because there are no laws. A foreign-owned company can do what it wants. We have learned that. I do not know how much more blatant an example you require, Mr. Speaker, than Houdaille. A foreign company can toy with the lives of workers in this province.

Perhaps members might want to think about it for a moment and follow that through. An individual perhaps has spent all his working life with one company in a specialized job—he has put in 25, 30, maybe even 40 years. If that person is suddenly thrown out of work with only a few weeks' notice, where does he go to find a job? His age will be against him. The fact that he has worked for only one company will be against him. In this case he can seek employment

only in the bumper industry, a very selective industry, very small in Canada.

Chances are he will be thrown first on to the unemployment lines and when that is exhausted on to the welfare rolls. With his family and a mortgage, he will be destitute. Unless he is extremely lucky, he will likely lose his home. For all the years he invested, during which time he helped the company make large profits, he has no reward. The foreign company which closed that up can take its money and reinvest it somewhere else and the same procedure will be repeated somewhere else at some other time.

Oddly enough, we are one of the few jurisdictions in the entire industrialized world that would accept those conditions. Offhand, I can't think of another country in the industrialized world that would accept that situation. In West Germany for example, it is very common practice that foreign-owned companies must give three years' notice of intent for their plans if they intend to either cut back or to close a company. During that period of time, they must actively be involved in searching for new jobs for their employees and in retraining, so that someone isn't thrown out on the street with no new skills or no new job to apply for. If the company has any clever ideas about trying to get around that, there are severe penalties. Companies often are required to put up bonds as sureties so that they can't just suddenly leave, otherwise they lose their investment.

There is protection for workers in West Germany, as there is protection for workers in most of the European countries—in fact, just about all industrialized jurisdictions outside of Ontario. Ours is a very sad and sorry state indeed.

The government sits idly by and is not ready to intervene in any meaningful way. In fact this government, through the Ministry of Industry and Tourism, went so far as to add insult to an already injured work force when the minister brought in his glossy \$31 per package production which basically says, "Let's sell Ontario." That is what that booklet was all about. There were terrific little lines in there about how we really don't ask very much of you, you can take high profits out of Ontario, our taxes are low—in fact, they are the lowest in Canada for companies—and you can come in and pillage. In fact, that probably should have been the title of the little book, "Welcome to the Land of Pillage; come in and help yourself."

The minister is content to sell Ontario rather than develop it. That is very clear, and a real insult to the people of this prov-

ince. I was most pleased to return my book, along with the rest of our caucus. Our Treasury critic returned all of the booklets to the minister. It was nothing but an insult and a pretty expensive one at that—\$170,000 was spent on that trash. Yet we do next to nothing about apprenticeship training, about trying to guarantee severance pay, portability of pensions, no efforts to keep the doors of our factories open and the wheels of industry turning.

4:40 p.m.

If we want some dramatization that goes even beyond that and becomes deeper and worse, this government which passively watches the plants being closed, then turns around and attacks people for being on welfare, saying they are lazy and don't want to work. If anybody wanted proof about the ridiculousness of that kind of approach, all he had to do was to take a look at the picture and the story that went with it in the *Globe and Mail* when General Motors in Windsor made the announcement it was going to start rehiring.

The line-up went literally for miles. Within a matter of minutes, as soon as the news hit the streets, men and women formed a line for several miles in an effort to wait for an application form. When the doors opened, the story in the newspaper tells about the young man who, after hours and hours of waiting, was absolutely ecstatic and came racing across the parking lot, waving an application form in his hand. He said, "I got an application form"—not even a job; he was thrilled to think that he had an application form for a job.

In case the minister has some otherwise perverse ideas, people in Ontario do not like to live in poverty. They do not like to be without work. They do like to feed their families. They do like to have a roof over their heads. They do like clothing on the backs of their children. They don't like selling their homes because they have no other choice. This government has a responsibility to try to solve the unemployment problem.

I would start by saying it was a moral responsibility. I don't know how any government could sit idly by and watch the unemployment rolls rise month after month. Surely, if nothing else, it is morally wrong. I will move from that and talk about the one thing which the government seems to understand, money. It makes sense in dollars and cents to have people working because, as we have more people working and fewer on the unemployment rolls, we reduce welfare payments,

unemployment insurance benefits and all the social costs that are involved. I am talking about the hard dollars of social costs. In money, it makes sense to have people working.

I guess what is so frustrating and annoying to me is I know that in many countries in this world if unemployment were to reach two or three per cent it would be a national outrage. It would be a scandal. In some countries, people would simply turf out the government because unemployment had reached three per cent. We will tolerate eight per cent. Is it not important to the government? So what, if eight per cent of our work force is unemployed? So what, if 65,000 people, our residents, have lost their jobs through plant closures during the first nine months of 1980? The whole year hasn't been exhausted yet. What will be the picture for next year? I suggest that unless something drastic is done those figures may double or triple.

This province economically and industrially is on the brink of a disaster. No amount of prattling on that side of the House will erase those figures, and the government knows it full well. They grasp at straws. The Minister of Labour, who is now taking his place in the House introduced some flimsy piece of paper last week that was totally meaningless.

**Hon. Mr. Elgie:** It's quite heavy.

**Mr. Warner:** It may be heavy—this government is heavy; it is a heavy burden on the people of the province—but that piece of paper the minister introduced will not save one job in this province. It will not provide any better protection to the workers of this province. It is useless.

**Mr. Renwick:** Nor will it help anybody hurt.

**Mr. Warner:** That is right. It is not going to help the workers from Houdaille. It is not going to help any worker who has been thrown out of work because of plant closures. We have not even talked about runaway plants; we will get to those in a minute. In my own area I have one of the most sorry examples of a runaway plant that one could ever think of.

What I am driving at is that at some point in time this government needs to make a commitment to repatriate the economy. Quite frankly, I do not believe they will ever do that. I do not think they have the desire or the political will to do that. They will not repatriate the economy. They will not even make full employment a target, a goal, something to work towards. This government has



never once said, "The goal of this government is to try to reach zero unemployment."

**Mr. Haggerty:** Darcy McKeough did that about four years ago; raised it from three per cent to 5.5 per cent. Now they may well raise it to 8.6 per cent.

**Mr. Warner:** The member for Erie raises a very interesting point. I remember, as he does and I guess all the members here, when Mr. McKeough was the Treasurer, during the budget statement he tried to explain away unemployment by raising the figure. He said we now have an appropriate level which was almost double what it was the year before. Suddenly it was not a problem because we had doubled the acceptable figure. If that is not an insult, I do not know what is.

What should be acceptable to this government is nothing less than full employment. Every month we do not reach that, we should feel ashamed of ourselves and we should double our efforts. Maybe the government does not have the same respect for the work ethic that I have, but I happen to know from my experience, not just as a member of this assembly but having lived and worked in the community for a long time, that work is important to people. They do get a certain sense of meaning out of their life because they can go to a job. They like to have meaningful work, full-time work and some sense of security. They like to build up a little pension for when they retire. They like to have good working conditions, a healthful environment, a pleasant task, an hour for lunch, if possible, and a health plan. But most of all they want to work, and they wish to receive a decent wage for their work.

In every one of those things I mentioned, Mr. Speaker, you can find individuals in this province who do not accrue those benefits. There are people who work in unsafe conditions. We have miners dying every month in northern Ontario because Inco does not care; they could care less how many people die in the mines. The Minister of Labour knows that. We have people who are working in unhealthy conditions; Johns-Manville is a perfect example. The members of the government party would love to forget Johns-Manville, but I will not let them, ever. Those workers died because this province was negligent.

There are workers who would like to have a decent wage, and many of them do not. Try to live on \$3 an hour—just try. I had a woman come to me just the other week. I could not believe it, but I checked it out and it was true. This woman was being paid \$4.75 an

hour. She was a sole-support mother working in an office downtown. She had one child who was four years of age and required day care. Do members know how much money she was paying for day care—\$47.50 a week. Because of an unfair policy of Ontario Housing where she was living, where they take 25 per cent of her gross income right off the top, plus almost \$50 a week off the top for day care, she could barely buy enough nutritious food for her and her child.

4:50 p.m.

That story in dollars and cents is not even addressing the other very real problems she had of having to get up in the morning, take her youngster by public transit down to day care and then spend another ticket on the transit to get to her office downtown by 8 a.m. She started work at eight o'clock and it would be six o'clock in the evening before she would return to her apartment. She worked long hours under strenuous circumstances for very little pay and could not get her child the subsidy which was required because, as we know, this province does not believe in day care. The best we have from them is the window dressing.

I would like to talk for a moment about the runaway plant, particularly since the Minister of Labour is here. Does he remember the ESB battery plant located in Scarborough? Many individuals who live in my riding have worked in that plant for 25 years. It is a specialized kind of work. There are not many battery plants in Ontario. The place was organized under the united electrical workers, the union the Minister of Industry and Tourism (Mr. Grossman) likes to attack from time to time, and the workers were receiving a reasonably decent wage. They were not unhappy with their employer. I do not think they had had a strike in 25 years.

One day the company announced it was closing up shop and moving, lo and behold, to another location in Ontario. When we investigated, we found that ESB was owned by Inco. Can members think of another word that strikes more terror into the hearts of civilized beings than the word Inco? I guess it epitomizes just about everything that is evil about corporations. That is, without a doubt, one of the most vicious, meanest companies that has ever existed in this province.

There was only one reason why they were closing the doors in Scarborough and putting 115 men out of work. It was because they wanted to escape the union and they

could move to a location near Woodstock where there would be no union and they could pay lower wages. They were able to do it, but I understand the steel workers have been able to move in quickly and they will likely gain a certification. Thank goodness there is a steel workers union and it can move so quickly.

The fact still remains that 115 workers in Scarborough, many of whom live in my riding, are out of jobs and there was no other place for them to go and work. Not only that, but to add insult to it, the company would not guarantee them a job in the new place, nor the seniority, nor the pension or anything else.

**Mr. Haggerty:** They were not included in the rolling stock.

**Mr. Warner:** That's right, you can move the batteries but not the people. I had two men come to my office and they were in tears. The said: "This is the only thing I have ever done in my life. There are no other battery plants around. What am I to do? I have a mortgage on a modest home, I have three or four children. I would like to buy food."

The government's answer was nothing, no answer. There is no protection. Companies can close up their doors and move wherever they want, whenever they want. They do not have to give reasons, they can do as they please. This government will never do anything in my opinion. It is not in their interest.

**Mr. Speaker,** I guess you are wondering what some of the solutions to this problem are.

**Mr. Haggerty:** You can support our no-confidence motion after that.

**Mr. Warner:** If the member for Erie would just hold on for a moment, we may get to that.

**Mr. Bradley:** Are you going to move one? Hear, hear.

**Mr. Warner:** Part of the answer is pretty obvious. We talked about repatriating the economy. I think that is obvious. We have to gain control over our industries here in Canada, in Ontario. Let us leave aside for a moment the argument about whether the industry should belong to the people of Ontario or just to an individual, and talk about whether the economy should be directed from Ontario and Canada or whether it should be manipulated by other countries, mainly the United States. I believe if we are ever going to have any

economic stability in this country, in this province, we must have economic control here in this country and in Ontario.

Second, if we are going to do that, let us examine what is available in Ontario. Quebec has its hydro, Alberta has its oil, Newfoundland is going to have some oil I understand, and New Brunswick has its forests. What do we have in Ontario? We have some very good natural resources: iron ore and nickel, to name just a couple, and the forests, obviously. We have those resources, but who owns them? We do not. The people of Ontario do not. Citizens of Ontario do not. They are owned by foreign companies.

What happens when a foreign company owns the resources? They dig them out of the ground and there are a handful of jobs there. But for every job under the ground there are another four or five above ground when they process and refine and make products. Where are those jobs? They are in Norway, United States, Japan, just about every country you can think of outside of Canada. That is where those jobs are. Four or five to one, in some cases, depending on the resource, is the ratio of jobs we are talking about. Those jobs are outside of our jurisdiction; those jobs should be here.

I submit—and here is the real crunch for the government, here is the part they can never accept—in order to ensure those jobs are developed here the government must intervene in the economy. It has no other choice. It must intervene.

Let me tell you about intervention. Back in September, almost a month ago, I had the delightful opportunity of joining other parliamentarians from each province of Canada, the Territories, the Yukon, the Senate and the House of Commons in a Commonwealth Parliamentary Association tour of Alberta and Saskatchewan to help celebrate, in each case, their 75th anniversary of joining Confederation. It was indeed an enlightening experience and I enjoyed every minute of it. I was speaking with colleagues, regardless of party, who come from every part of our country. One learns something. I tried to learn and I hope I did. I presented some of my views in common discussion, in casual discussion, and I listened closely to the different members as they gave me their opinions.

It was a valuable experience. We talked about constitutional items. The member for St. Catharines mentioned earlier some of the bitterness and alienation of people outside of Ontario. It is very real. Whether it is justified



is another matter, but it is real—there is no escaping that. There is some very deep-seated bitterness, particularly from the western provinces, some from the eastern provinces as well, less from Quebec, interestingly enough, in my opinion. But the real deep-seated bitterness is from Alberta and British Columbia. None the less, it was an interesting experience.

5 p.m.

During part of that tour we visited a potash mine in Saskatchewan. I'd never been down a potash mine—nor any other mine for that matter. We went down some 3,300 feet and then laterally almost four miles into the earth, on a car and on a roadbed that was 20 feet wide and 12 feet high. At the end of that little journey we saw the mining machinery which extracts the potash and puts it on a conveyor belt, and then takes it eventually to the surface and into the refinery. From the refinery it goes to the storage bins and then to the trains and on to their markets.

We had ample opportunity to quiz the people who were running the corporation and the people who were there and get answers to our questions. To give a brief history, in Saskatchewan, potash is the major natural resource next to wheat.

Wheat is still number one. I didn't realize until I got there that in Saskatchewan there is 3,000 years of supply of potash. That's an incredible amount of that mineral.

A few years ago it became evident to the government and to the people of Saskatchewan that the potash companies, which were American-owned, were not paying taxes. Their argument was that they weren't making money; therefore they couldn't pay taxes. That claim however, had to be taken on faith because they couldn't open the books. Opening the books would provide an unfair competitive advantage to their competitors. A terrific argument: the government should accept that they couldn't pay taxes because they weren't making money.

The province of Saskatchewan, unlike this government, not about to take a back seat, decided it was going to do something about it, and it did. The Premier of Saskatchewan went to New York and met the financiers. All of them totally disagreed with the Premier's philosophy, but did agree with his balance sheet and said they would lend him the money. With borrowed American money the province bought out some of the Ameri-

can companies. They acquired somewhere between 45 and 50 per cent of the companies.

They then made sure it was really a corporation which belonged to the people of Saskatchewan. They went through the province and found residents to form the board of directors of the Saskatchewan Potash Corporation.

Here's the little catch. Members will recall earlier that I said the American companies claimed they weren't making any money. In the first year of operating the potash corporation turned a profit of \$900,000. Four years later, they turned a profit of \$68 million—and that from half the industry.

So, obviously, intrusion into the marketplace by the government works, and it works very well. It benefits the people of Saskatchewan not just in taxes. The potash corporation pays taxes, as everybody else does, and at the same rate. But the result of that profit meant free dental care for the children of Saskatchewan. Every child up to and including the age of 12 receives free dental care in that province because the people own their resources.

That's a very clear message. One can't twist it; one can't hide from it; one can't get away from it. The message is clear: when people own their own resources they can provide the services to the people. That's just one example. Since then, the government has been able to make sure that elderly people get free hearing aids, free prescription glasses, free prescription drugs, all of this in the so-called poor province.

I remember my history, or at least some of it. I can be accused of not knowing all of my history but I know some of it. In 1944, Saskatchewan was the second poorest province in this country. It could not borrow money, it was so badly in debt. But in that year, Mr. Tommy Douglas and the Commonwealth Co-operative Federation were elected as the government of the province. Amidst that poverty and that poor bank balance situation, they brought in medicare. I suppose it was the single greatest social program ever achieved in our country. They said it could not be done, but the CCF did it. Of course, we in the New Democratic Party are exceedingly proud of what our forefathers did. They introduced medicare to this country.

The point is fairly obvious if the government, or any government, sits back and says it cannot be done. "We cannot supply hearing aids, we cannot supply prescription

drugs, we cannot supply dental care for children." Of course this government cannot because it cannot take control of the resources. It is out of its hands. It is for the use and benefit of people who live in other countries. It is all part of the little book of the Minister of Industry and Tourism on how to pillage Ontario. And pillage the government does ad nauseam. The answers are fairly clear.

I would like to turn for a moment to another part. There are three major items which I wish to address. They all link to the economy and the economic failures of this government. The second area is health care. I mentioned a few moments ago I, along with my colleagues, am exceedingly proud of what the CCF did in bringing in medicare in Canada.

**Hon. Miss Stephenson:** With the money supplied by Ontario.

**Mr. Warner:** Oh, baloney, with respect. I may not be the only one in this chamber who can be accused of not knowing all his history.

At one time in the province, not that many years ago, Ontarians could be proud of their health care system. That is no longer true today. Our health care system is on the brink of disaster. I have switched from the Minister of Labour to the Minister of Colleges and Universities. I think the Minister of Labour is a bit more reasonable and knowledgeable on this situation. Having worked in the hospitals, he knows of what I talk.

This health care system is on the brink of destruction for a couple of basic reasons. The government cannot just simply ignore hospitals forever and think that the system will not buckle under at some point. It cannot simply put pressure after pressure on nurses, doctors and other staff in hospitals and expect that they can perform their duties properly without there being some serious problems.

There are obviously two very important sections to the health care problem. One is the hospitals and the other is the doctors. I will deal with hospitals first. I have visited the hospitals. I have done the shift in the hospitals along with the co-operation of the hospital staff. I remember spending an eight-hour shift in Northwestern Hospital in Toronto through until about 2 a.m. to confirm some of the accusations that people abuse the hospital system. It was incredible.

Eighty per cent of the people who showed up in the emergency ward were there because there was no doctor to go to. The

doctor kept regular business hours. When the doctor closed the office at six o'clock, when one had a problem one had to go to the hospital. In some cases that was what the doctor advised the patient. "I'm sorry the office is closed," would be the recording, "please visit the emergency ward in Northwestern Hospital."

**5:10 p.m.**

In other cases, of course, there were the actual emergencies—car accidents, that sort of thing—where people are brought into the hospital. In some cases people didn't have a family doctor and there was no health clinic in the area so they immediately came to the emergency department. There was one doctor on staff and he was kept very busy. There were a couple of nurses who were frantically trying to attend to the needs of the people who were there, but generally you could see it was quite obvious that people were not abusing the system. I know that was true before I went in, because I had seen the survey done of doctors themselves.

The survey asked doctors, "How many people abused the system?" The doctors responded, "About 10 per cent." That was their guess of the number of people who came into the office who didn't need to come in. The doctors also said, "About 12 per cent of people we see should have come to the doctor earlier than when they did." They waited too long to come and see the doctor. The abuse is a figment of somebody's imagination. In this case, unfortunately, it was the figment of the imagination of someone from the Ontario Medical Association who tried that one on the health care committee and they shot it down in flames.

The second stint of duty I did was an eight-hour shift in the Scarborough General Hospital. That was a fascinating experience. This is fairly close to the heart of the Minister of Labour, because he was chief of staff at the Scarborough General and is held in very high esteem by the hospital and people in the area, and deservedly so.

That hospital has tried its best over the years to meet the needs of people in the area. It has been transformed from what was a small hospital with minimal facilities into what I would classify as a city hospital. It is near Highway 401, so it is one of the closer points where they bring accident victims. It is about the only hospital available to hundreds of senior citizens who live north and east of Metropolitan Toronto and it is a focal point for our community.



It has one of the busiest emergency wards in all of Canada. More than 100,000 people go through that emergency ward in a year. The doctor will recall, as will anyone else who has visited the emergency ward, that it isn't much more than an oversized closet. The facilities are inadequate. In fact, the supervisor of emergency services, a highly experienced and well respected individual, has her office in a closet—a broom closet. She has a little tiny desk, the size of our desks here and one chair. There is room to hang up a coat. Facilities are clearly and totally inadequate.

That was recognized by the Ministry of Health staff because they okayed the plans for the extension and renovation of the emergency ward; properly so. One thing is missing: there has been no cheque. They don't have the money. There is no money coming forth. The expansion will cost about \$3 million, of which the province under its normal obligation will pick up \$2 million—two thirds of the capital costs, but we have not seen the money from the government. It is not forthcoming.

I had to resort to putting the question on the Notice Paper: When will the government come up with the \$2 million? How much longer will the government deprive the people of Scarborough of proper facilities for an emergency ward? The depth of despair which people in the communities are feeling about their hospitals is endemic as hospitals become increasingly overcrowded.

The Minister of Health (Mr. Timbrell) seems to think it is quite all right that there are people lying on stretchers in corridors. His attitude was, as expressed in the question period a few days ago, "Isn't it better that they are there than some other place?" Of course, it is better to be indoors than outdoors when one is ill. One does not have to be a Harvard Law School graduate to grasp that logic. But is it not even better to have an actual bed to be resting in when one is ill enough to be admitted to a hospital?

One of the things I found particularly sad when I was visiting Scarborough General Hospital was to find elderly people, who had been transported from as far away as Port Perry, lying on stretchers in the hallway, waiting their turn. The nurse told me they would likely be there all day—someone 75 or 80 years of age lying on a stretcher in a hallway for six to eight hours, because the hospital does not have the staff to attend to the problems. This government, although it does not want to, must shoulder that responsibility and the shame that goes with it.

I do not know how the government could allow the situation to deteriorate the way it has. I do not understand that. Morally it is wrong. Our people deserve a first-class quality health care system. We paid for it over and over again. We are one of a couple of provinces left that pay premiums. We pay two and three times for our health care system. We pay for it through our provincial taxes. We pay for it in our premiums, unlike seven of the 10 provinces, then we pay again—which brings me to the question of opting out and extra billing.

There is a very serious problem with extra billing. The opting out, in and of itself, is not necessarily a great problem for the people. One can opt out in Quebec, and some doctors do, but when one does, one receives no payments from the public scheme. So the doctor who, for sound philosophical reasons, wishes to opt out may do so and bill the patient 100 per cent. The members know, as well as I do, how many doctors in Quebec opt out—not very many. Strangely enough, they like getting a regular cheque and they do not like having to act as a collection agency.

What situation do we have in Ontario? We have reached the extreme of insults, in that not only can some doctors opt out and charge extra, but they can charge above the OMA rate. They can do so and demand payment in advance and nothing will be done. "If you don't like it, go somewhere else"—that is the advice people are given.

My colleague from Windsor-Riverside (Mr. Cooke) brought in a fascinating example. He raised it in the Legislature the other day as a question to the Minister of Health, who really had no response. It was the case of an individual who was being charged by the doctor in excess of the OMA rate. The doctor wanted that money up front or else the patient would not receive the medical service. The Minister of Health's answer basically was, "Well, there really isn't anything I can do about it." Is that how impotent this government has become? It will sit idly by and watch our health system being abused by a few greedy doctors. Is that what it has come to?

You and I both know, Mr. Speaker, that the vast majority of doctors in this province do not extra-bill. The vast majority of the doctors in this province support the plan. I doubt very much if the vast majority of doctors support the kind of doctor whose example was used in this Legislature a few days ago. That is despicable behaviour for a doctor, or anybody else for that matter.

5:20 p.m.

In other words, that doctor and a handful of others like him are giving a message to the public: Health care if you can afford it. Health care for the rich. Some members in this House are old enough to remember the bad old days of private insurance health care: If you could pay the premiums, you got the health care; if you could not tough bananas.

**Hon. Miss Stephenson:** That is not true.

**Mr. Warner:** That is exactly what happened. I have to tell the good doctor—because I get a little excited about this one—that I was going through our family Bible the other day, looking at some of the clippings, pictures and so on, of my family. My grandfather was born and raised in this city. My grandmother took seriously ill and was an invalid for 12 years. In the family Bible, which is more than 100 years old there are pages where you put family histories. There was an announcement of my grandmother's death, and she died just two minutes before I was born. Included in the announcement of her death was the fact that she had been an invalid for 12 years. Underneath that announcement was pasted another announcement, of the bankruptcy sale of my grandfather's house to pay the medical bills. He had to sell his house to pay the medical bills.

What I am saying to the government is, I do not want to see those days ever again, not ever in this province; and unless we are careful, those days can intrude upon us again. Where do we have to start? We have to start with what is acknowledged to be the backbone of our health care system: the doctors. We have to sit down and negotiate with the doctors. We have to negotiate fairly, reasonably and in good faith, and when we are finished the government signs, the doctors sign, and that's it—no mavericks.

I will use an example I use quite often, Mr. Speaker, because it fits very well. Just think for a moment if your youngster or my youngster came home from school with a little note saying his teacher did not like the settlement of the contract and wanted him to bring an extra dollar each day. What would you do with the notice? I will try to say in parliamentary language that I know what I would do with that notice. What colossal nerve! The teachers have a union. They sat down and bargained with the school board. They came to an agreement. They signed a paper. Each teacher under that agreement will receive a certain salary. What

nerve! A teacher asking for an extra dollar a day from each student! No one in here would tolerate that. Even the Minister of Education would not tolerate that—she would go bananas—but doctors can do that. A negotiated settlement does not mean a thing to them.

I understand the problem that the government has. This is the single most powerful union there is, but not all its members are unreasonable. The opted-in figures speak to their reasonableness. Roughly 83 per cent of the doctors are opted-in, 83 out of 100, and the majority of those are the general practitioners. I get complaints from the general practitioners, which I am sure other members do as well. The GP says, "I do not know whom to refer my patient to because most of the specialists have opted out of the plan and I know my patient cannot afford any more expense." That is the GP speaking.

I suspect that if this government had the courage and the will to put an end to the opting out the vast majority of doctors, particularly the GPs, would applaud that effort. They would like some stability. They have some pride in their skill, in their trade, which is being a doctor. Most doctors like to try to get the very best medical treatment for their patients. That is the pride of their calling. That is what their profession is all about, and yet a lot of GPs know they cannot do that because of the opted-out specialists who will charge the sky as the limit.

There must be no more extra billing. It simply must end. Stop playing silly games, because these games are inflicting injury on the people of this province. If the government can ever get a handle on that problem of extra billing and start funding the hospitals properly then maybe it will address itself to preventive care, the forgotten element of our health care system, and home care for elderly people so that they can remain in their homes and try to live a life of dignity for their remaining years. It is not available in most areas of this province.

There is no reason why free dental care for all children up to and including age 12 cannot be provided in this province. This health care system of ours is in a perilous position, and this government is not about to rescue it. They do not believe in it. When the crunch comes, there is a greater allegiance to the insurance companies, which I guess are just sitting by with their talons sharpened, waiting for that one little section to be lifted from the Health Insurance Act.

**Hon. Miss Stephenson:** You have been smoking peculiar stuff again.



Mr. Warner: No. I have had too much experience with those companies. They would love the opportunity to move back into the profitable area which they exploited a few years. Decent health care should be a right in this province and not be determined by how much money one has.

The third major area I wish to speak about is a situation in which many women, particularly working women, find themselves in this province. I do not know when the discrimination is going to end. The government has had its opportunity. My colleague from Windsor-Sandwich (Mr. Bounsall) introduced a long time ago Bill 3. Bill 3 was equal pay for work of equal value.

Mr. Speaker, you will recall it well as you were one of the many members who supported the bill, as did all members of this assembly on second reading. It was a terrific bill in principle. We all support that bill in principle. It went to committee. We had presentations made in committee and some very forceful representations were made by a variety of groups in our society. Then the government started to get cold feet. My goodness, there were actually people out there who wanted this bill. There was lobbying going on.

5:30 p.m.

This bill was going to become very popular and, lo and behold, the traditional allies of the government, the manufacturing associations, the business organizations, the insurance companies—usually the worst exploiters of women in the work place—were saying: "It is going to cost us. We do not want this bill. Do something." So the government did something; it killed the bill. So much for equal pay for work of equal value. This government has killed that and working women are left unprotected and unrewarded for the work they do.

One cannot talk about women in the work place and being treated equally without talking about day care. The Minister for Community and Social Services (Mr. Norton) talks glibly about sole-support mothers. These are women whose husbands have deserted them. The husbands not only desert their wives but the payments they neglect to make every year reach somewhere about \$60 million, a huge financial burden because of their irresponsibility.

This woman has been left with a couple of children and wants to work. I get calls all the time, and I know other members do as well, from someone who desperately says, "I do not want to go on welfare; I want a job;

I want to work." She will get a job at minimum wage with terrible hours because she is a woman.

I had a woman come in to see me who had three children and we chatted for a while. She told me she was earning \$3 an hour and when she worked more than 48 hours a week she was paid an extra dollar an hour. She worked 55 hours each week. I told her the 55 hours was illegal—the 48 is not. We are still living in the Dark Ages on that one in this province. I told her it was illegal, that she did not have to accept that. I said, "We can go to the Ministry of Labour and lodge a complaint, first on the hours and second on the pay." She replied: "I do not want to do that because I would be fired. Although this is a crummy job, it is the only job I've got." So she continues to work 55 hours a week at \$3 an hour, plus an extra dollar an hour for every hour over 48, and attempts to feed three children.

That is the cruelty of this system in Ontario. She needs day care, she needs universal access to that day care, but there is none that is any good for her, none that is appropriate. Then the government puts a freeze on the subsidy list so there will be people, if they cannot make the payments for the day care facilities, who will simply have to give up their jobs and go back on to either mothers' allowance or welfare. What a system. I fail to understand why the government has given up on the work ethic, but obviously it has.

Lastly, something I think has been overlooked for a long time is the subject of sexual harassment on the job. That is something we do not talk about very much in here, but women do fall victims to sexual harassment in the work place. There are no laws against it. I suspect the government has known full well the extent of the problem for some time but chooses to do nothing about it. Again, that is a very sad commentary on this government.

Women in this province, particularly women who are working outside the home, deserve the same pay as men. Some day I hope they will get it; they certainly will. We are committed to the member for Windsor-Sandwich's bill and, given the opportunity, it will become law.

They deserve day care so they can work productively and can feel they are supporting their families, because they are supporting their families as best they can. They need job protection so when they find those jobs and they are in the work place they

are not going to be harassed or exploited by men.

Last, I wish to touch on a couple of other subjects, one of which is a little bit annoying. I put it forward as more of an annoyance than anything particularly significant, and that was the little vote-catcher \$500 item that was floated around in September. That was a gem. There were nice little ads with some smiling elderly person saying, "This is the world's greatest place to live," and so on. It was a terrific little con job.

**Hon. Miss Stephenson:** Only because it was true.

**Mr. Warner:** Even the Minister of Colleges and Universities can't say that without smiling. I guess the tipoff to it was the other day in the House when the Minister of Revenue (Mr. Maack) was being quizzed about it and he said, "You know, there are 800,000 seniors in this province." I said, "A hundred thousand of them will get less this year than last." He was annoyed at that and blurted back, "No, it is only 95,000"—I stand corrected if he has the figures—it is only 95,000 seniors who will receive less money this year than they did last year. Many of those will be at the bottom of the economic scale. They are not paying enough property tax. Why aren't they paying enough property tax? Because they are living in poorhouses. If they live in a poorhouse, they don't pay much tax, therefore, they don't claim back as much money on the giveaway scheme.

Isn't it nice, though, to have those pictures of the smiling seniors saying, "This is a wonderful place to live." I guess the rumour is not true that the Treasurer sent those cheques out with his picture on them. None the less, the message really is there that all those senior citizens should be grateful to the government and they should vote for the government.

I have a little sobering thought before the government members get too carried away with their euphoria over the giveaway program. Here is a survey. I run these surveys regularly in my riding and they are responded to in very large measure. In answer to the question: Should pension levels for senior citizens be increased? 7.2 per cent of the people were undecided; 7.4 per cent said no, and 85.4 per cent said yes. Despite the government's little scheme and the giveaways, the people out there are not fools. They know there are thousands of seniors living in poverty in this province,

some of whom are lucky to get enough food each day, right in the city.

I would be quite happy to take any one of the Tory members on a little walk between here and the Wellesley Hospital and I will find senior citizens who are barely surviving nutritionally, let alone in any other way.

I want to also add a little sobering note to those on the government side who think that equal pay for work of equal value is not important. Do they know how many people in Scarborough-Ellesmere responded to the question: "Should our labour laws require employers to pay equal wages to women for work of equal value?" Eighty-seven per cent said yes; and 7.2 per cent said no. People out there know the issue is important and their voice will be heard.

**5:40 p.m.**

I guess the twist to that \$500 giveaway which bothered me was that the people were residing in nursing homes which pay property taxes. The person is paying \$600 a month, and the home is paying anywhere from \$100,000 to \$200,000 a year in property taxes.

Members would think that person, who is paying out rent every month, would qualify. Six hundred dollars a month is pretty steep rent. The nursing home is privately owned and it is paying a couple of hundred thousand dollars a year in property tax. But the person does not qualify. The government says it has given a subsidy of somewhere around \$500 a month. But one cannot escape the fact that the person paid \$600 out of his or her own pocket and the home is paying property taxes. Let members try and figure it out. Nobody out there can.

Finally, one last note—the situation with the Ku Klux Klan disturbs me. It disturbs me for one simple reason. It does not appear to me the Attorney General (Mr. McMurtry) is taking this matter at all seriously. He dismisses the Klan as a handful of lunatics. They may be a handful only, and they may be lunatics, but they now have three offices. They have one in Toronto, one in Kitchener, and one in Ottawa. They are running someone for mayor of Toronto. Their next plan is to run someone for the House of Commons.

Just in case someone has forgotten who these gentle folk are, would members please remind themselves what has been happening in Buffalo, Cleveland, Detroit, Atlanta. The Klan is on a very aggressive program to incite racial hatred, to incite violence. They are not to be taken lightly.



Of course, anyone is entitled to live in our province, provided they live up to the laws, they do not break the laws. The Klan has broken the laws on hate literature, and it has broken the very spirit and intent of our human rights legislation.

I believe what the Attorney General should do, as I suggested on June 26, is make sure the Klan is closely monitored, that information is collected, and then, when it breaks the law, criminal charges are laid. Do not give us this silly nonsense about using the Petty Trespass Act. I have never heard such patent ridiculousness in my life.

For starters, the Attorney General should know, if he does not—I knew and I do not have any police force; he has a huge police force—the Klan did not hand out the material on the school property at Monarch Park Secondary School or any other school. It was handed out off the property. In one case where it was handed out on the property, it was done by a student of the school. He cannot be charged with trespassing. Patent nonsense.

It is one of two things. Either the Attorney General does not know what he is doing, or he has taken this matter far too lightly. I wish he would take it more seriously.

I apologize to the member for Prince Edward-Lennox (Mr. J. A. Taylor) who waited patiently. I thought I was going to speak a bit earlier. I did tell him I would try and reserve half an hour for him. I will try to conclude in a couple of minutes.

We have a province which now faces the most difficult times it has faced since the Depression. Our economy is crumbling; plants are closing; jobs are being lost to other jurisdictions. It is not just a matter of a job going somewhere and later there will be another one.

The Premier is very fond of saying that Ontario is Canada's industrial heartland. Our heartland has had a coronary. Unfortunately, the doctor over there is a quack. This government has no remedies for the illness. Very clearly, there are two basic things that must be done in order to ensure that we remain as an industrial province. If we do remain as an industrial province, we can deliver the health care that the people of this province deserve. We can provide free dental care for children. We can boom again. We can have all our people working. There are two things to be done. One is to repatriate the economy and the other is to bring the natural resources of this province under the ownership of the people of this

province. This government will not do either of those two things.

I look forward eagerly and with great anticipation to the next election, whenever it comes. Frankly, I do not care when it comes. Whether it is tomorrow, a month from now or three months from now is immaterial. This tired old government is on its way out, and I look forward to being one of the replacements.

**Mr. J. A. Taylor:** Mr. Speaker, as you know, my Premier is ill this afternoon. He had expected to be in the House to discuss his estimates. I was asked if I might participate in this debate as a supporter of his government. I may say I am happy to assist him in his constitutional problems.

As a Canadian, I do have some concern with regard to Ontario's position in this great country of ours. When I speak of that position, I am speaking both in a political and an economic sense. Mr. Speaker, you will understand that. You have travelled this land of ours from coast to coast as I have. This past summer I had the opportunity under the chairmanship of the member for Humber to travel from the Yukon to Newfoundland and to discuss with the people of those provinces in between their concerns for their country and their bewilderment on occasion at Ontario's stance in the constitutional talks. I concluded that if Ontario is playing a role it must surely be the role of a unifier, because there seems to be a common dislike for this province and that, if nothing else, would bring the rest of the country together.

I did not stand today to discuss a report which will be filed with the House from that committee on constitutional reform. I came to support the budgetary policies of this government. I think it is difficult to find fault with those policies.

5:50 p.m.

I'm listening attentively this afternoon to the deliberations of the members from both the Liberal Party and New Democratic Party. It seems to me it is a simple thing to criticize. Sitting in opposition it is easy to find fault with anything. I suppose the longer one is in opposition the more expert one becomes in criticizing and finding fault, but sometimes it is necessary to think positively. I think the budget of the government was a positive budget and I combine that spirit of being positive with the spirit of constitutional reform.

In travelling to the west I found there was a concern on the part of those provinces

rich in resources. The same sense is developing in the east. There is criticism of the spending mechanisms of the federal government and the sizeable deficit that has accumulated. There is a concern about the current deficit. We read about Alberta's Heritage Trust Savings Fund. It is sizeable but it probably amounts to one Syncrude plant. It is simple for the federal government in a single year to accumulate a deficit of three Syncrude plants.

The concern is over the ownership of those resources—both in eastern Canada and western Canada. In Quebec the concern is to ensure the integrity of their heritage—their language and their culture; the concern of being assimilated, of being threatened in an English-speaking North America.

I believe it is essential to solve those two basic questions before we resolve the whole issue of constitutional reform in the context of the economy because I have heard today so much about unemployment, plant closings, inflation and difficult times. If one travels our land and other lands, one will quickly realize that in Ontario we have everything going for us. We seem to be outstanding in every field. We have the majesty of the mountains, the tremendous geography, the resources so vast. The people with so much initiative and energy. We have people who want to work, who want to get on with the job of building this nation. But for some of us it seems we are relegated to bickering about constitutional reform.

If we want to generate more job opportunities, we should get on with the business of developing our resources. Premier Loughheed in Alberta cannot get on with his arrangements with the energy industry because he cannot come to any conclusion with the federal authorities. In the meantime we are in continual peril of suffering an energy crisis.

It takes billions of dollars to develop our resources. We have the people and the resources; surely we have the energy, the efficiency and the dedicated people to get on with that job. In my view, it is essential that we resolve the question of energy pricing, cost sharing, taxation and royalties, and develop our own resources. That will put all kinds of people to work. That will keep Ontario prosperous as well.

In Ottawa we seem to have too many little men in lofty places who cast long shadows because the sun is setting.

There is also the corporate responsibility. I have heard the corporations criticized. I think they have to get in tune with the reality

of the present-day work place; some of them are and some of them are not. They have a responsibility and the sooner they recognize that responsibility and commitment to the workman, then so much the better for their organization, the province and the country. The government has a responsibility, but not a responsibility to take over every industry that happens to get into trouble.

May I say that I am not in favour of the government's bailing out inefficient corporate enterprises. I listen to the members of the opposition wanting government involvement and interference and regulation every time there is a problem anywhere. I would like to see them in power just for a year or two—not longer, because I am afraid of the chaotic conditions they would create. I would like to see them grapple with the real problems, with the real people, with the real industry, and see what they would do in terms of the policy of homogenizing this land of ours and more free stuff.

I heard this afternoon about the condemnation of our health care program. I challenge the opposition to go anywhere in this universe and find a health care program that is better than the one we have right here in Ontario. We should be proud of it and we should not be hanging our heads in shame and saying we are leaving people to suffer in the halls. That is sheer nonsense, and the members opposite know it. They should be proud and hold their heads high, because we in Ontario are leaders in that field. If they want to bankrupt the province and the country the way to do it is to get into more and more government involvement and free stuff.

**Mr. Young:** Nothing is free.

**Mr. J. A. Taylor:** Now my friend has said it. He has realized that nothing is free; someone has to pay the price. We cannot consume unless we have someone producing. And we cannot put everybody on the government payroll.

**Mr. Young:** Nobody ever said we should.

**Mr. J. A. Taylor:** No. But all the policies of the member's party dictate that. That is the inconsistency of his party and the criticism of his party: they are so contradictory. If one got into that much more, one would need the professional services of the leader of the Liberal Party who is the champion of inconsistency.

**Mr. Warner:** Go ahead, I'm all ears.

**Mr. J. A. Taylor:** I don't want to get into personalities because I could talk for a half an hour on the problems of that particular



person. I will refrain from doing so, especially as he is not in the House. I am delighted that there are so many people in the House as there usually are to hear the debate on the budget, but in the absence of the leader of the Liberal Party, I am going to refrain from an objective analysis of that particular individual and his leadership or lack thereof.

In the few minutes remaining to me, I would like to express my concern in regard to an item that I read in the newspapers recently about rural hydro rates.

**Mr. Haggerty:** Aren't they high?

**Mr. J. A. Taylor:** They certainly are.

**Mr. Haggerty:** Too high.

**Mr. J. A. Taylor:** They are too high, and as long as the member is thinking on that wavelength, I have his support and I think probably he has my support as well. I was delighted in the spring when the Premier (Mr. Davis) announced that he had asked the Minister of

Energy (Mr. Welch) and Ontario Hydro to make recommendations to him and to government as to how we might reduce the inequities between the urban and rural customers.

**The Deputy Speaker:** Before the honourable member gets too deeply into that subject, I might say it is six of the clock. Would you like to adjourn the debate?

**Mr. J. A. Taylor:** Yes. I was just going to say in conclusion that I hope that adjustment of inequities will not be to raise the rural rates so they equate with the urban rates. I have some apprehension in that regard and I want to register my concern now.

I appreciate the time and I will complete my remarks.

On motion by Mr. Ruston, the debate was adjourned.

The House adjourned at 6:03 p.m.

#### ERRATUM

No.	Page	Col.	Line	Should read:
90	3424	2	4	not being saved. That is not our end goal.

# APPENDIX

(See page 3539)

## ANSWERS TO QUESTIONS ON NOTICE PAPER

### MINI-SKOOOLS

**262. Mr. McClellan:** Will the Ministry of Community and Social Services advise the House: (a) What was the enrolment of children at the following Mini-Skools day care centres: Queensview, Brimorton, Tuxedo Court, Willowdale, Kingsview I, Kingsview II, Bramalea Kingscross, for each of

the months between November 1979 and September 1980? (b) How many times and on which dates were each of these facilities inspected by the ministry during this period? (c) What were the results of these inspections and specifically what violations, if any, of the Day Nurseries Act and/or regulations were observed? (Tabled October 6, 1980.)

**Hon. Mr. Norton:** (a) Enrolment at Mini-Skools:

Enrolment	Nov. 79	Dec. 79	Jan. 80	Feb. 80	Mar. 80	Apr. 80	May 80	Jun. 80	Jul. 80	Aug. 80	Sept. 80
78											
Queensview	47	52	41	37	41	38	41	33	32	41	35
85											
Brimorton	37	36	37	38	36	38	37	31	25	32	40
163											
Tuxedo											
Court	90	92	98	103	100	99	100	91	87	97	99
260											
Willow-											
dale	208	190	186	178	179	181	188	182	178	185	191
154											
Kings-											
view I	93	105	93	89	91	96	98	85	80	95	114
154											
Kings-											
view II	106	118	89	99	90	90	91	85	77	95	111
159											
Bramalea											
Kings											
Cross	126	127	123	118	121	117	123	106	83	119	149

These statistics were compiled with the co-operation of Joycelyn Oowerin, Canadian

director of Mini-Skools, a division of Kinder-Care Learning Centres Inc.

### (b) Visits:

Queensview	Jan. 8 80	May 15 80	June 26 80					
Brimorton	Jan. 9 80	Jan. 27 80	Apr. 10 80	Jun. 12 80	Aug. 8 80	Sept. 5 80		
Tuxedo	Jan. 4 80	Mar. 6 80	Apr. 11 80	Apr. 30 80	Jul. 3 80	Aug. 8 80	Sept. 10 80	
Court	Jan. 8 80	Jan. 16 80	Apr. 16 80					
Willowdale	Jan. 8 80	Jan. 16 80	Apr. 16 80					
Kingsview	Jan. 24 80	May 15 80						
I	Jan. 24 80	May 15 80						
Kingsview	Nov. 6 79	Jan. 24 80	May 15 80	Sept. 19 80				
II	Nov. 6 79	Jan. 24 80	May 15 80	Sept. 19 80				
Bramalea	Feb. 19 80*	Feb. 20 80*	May 6 80*	May 15 80	May 23 80*	June 9 80*	June 23 80*	
Kings Cross	Feb. 19 80*	Feb. 20 80*	May 6 80*	May 15 80	May 23 80*	June 9 80*	June 23 80*	

\* all dates with asterisks are visits at request of centre to assess staff for competency.

(c) No violations; all programs above minimum standards. Staff attitude much im-

proved at all centres. Children well cared for. Menus acceptable.



## SAMRAY FATALITIES

**263. Mr. Warner:** Will the Attorney General advise the House whether or not the crown intends to appeal the penalty assessed against Samray Limited, Niagara Falls? If not, why not? Why did the crown, being aware that Samray Limited was responsible for the death of two employees, not lay a more serious charge, such as criminal negligence, against a company which has a previous record of failing to take reasonable precaution for the protection of workers? (Tabled October 6, 1980.)

**Hon. Mr. McMurtry:** Samray Limited purchased the former Kimberly-Clark building in Niagara Falls in 1975. A tenant, Sherway Warehousing Limited, carried on a warehouse business on the third floor of the building. It entered into a warehousing agreement with International Nickel around December 1977. For about one and a half months, Sherway warehoused approximately 3,700,000 pounds of International Nickel pellets. No public authorities were aware of this fact at the time.

In January 1978 the third floor collapsed. It and the other floors fell into the basement, and two workmen of the Kimberly-Clark maintenance shop in the basement were killed. They were Mr. Drewette and Mr. Peterno, employees of Kimberly-Clark. There was a fire as soon as the building collapsed, but there is no suggestion of arson. Firemen fought the blaze, and thought they had extinguished it. However, a couple of days later the fire started up again and raged for two days.

An inquest of approximately 17 or 18 days was conducted by Mr. A. H. Root, crown attorney, Niagara South, in June 1978. The finding at the inquest was that the third floor collapsed due to an overload in weight. The Ministry of Labour laid charges under the Industrial Safety Act, 1971. Sherway was charged under section 24(1)(d) and fined \$5,000. The prosecution took place in June 1980. Samray Limited was charged as the owner under section 22(d) and fined \$1,000. Mr. Root prosecuted the charges under the Industrial Safety Act, 1971, at the behest of the Ministry of Labour. Mr. Root is a very able and experienced crown attorney.

Both Samray and Sherway have filed appeals. The crown did not appeal the sentences against Samray and Sherway because the fines were considered appropriate bearing in mind that the maximum fine which could have been imposed was \$10,000. The com-

panies also do not appear to have sufficient assets to warrant appeals from the fines imposed. With regard to Samray, the crown's position in court was that its liability should be less than that of Sherway.

The local crown attorney's office is not aware of any previous record concerning industrial safety against either Samray or Sherway.

The defence of the companies was that the collapse of the floor was due to causes other than the weight of the pellets.

Criminal Code charges were not laid because it was felt that criminal negligence beyond a reasonable doubt could not be proved, bearing in mind: the possible defences of the companies; the test for criminal negligence; the work experience of Mr. Rockett, the owner of Sherway, and the collapse and destruction of the building itself.

## GAINS PAYMENTS

**264. Mr. Isaacs:** How many Gains-D recipients were receiving reimbursement for their heating oil bills prior to the change in ministry policy earlier this year? How much money has the government saved by refusing to reimburse Gains-D recipients for heating bills during the 1979-80 heating season? (Tabled October 6, 1980.)

**Hon. Mr. Norton:** When determining the allowance to be paid to a disabled person under the family benefits legislation, two separate calculations are made. The first is the Gains-D calculation, a flat-rate guaranteed amount which, although it varies by family size and age of children, does not vary by individual needs within a particular family size or composition. For example, the Gains-D guarantee level is \$315 for a single person.

In contrast, the family benefits calculation considers the individual needs of each recipient over and above his or her basic needs and where all of these needs items (e.g., travel and transportation, special diets, fuel, et cetera) exceed \$315 per month, the disabled recipient always receives the higher amount prescribed under the FBA calculation. When the FBA calculation is lower, the flat rate Gains-D amount is paid.

Accordingly, the policy in respect of paying for fuel cost to Gains-D recipients over and above those amounts prescribed in the fuel table, is based on the calculation of all the individual need items under family benefits in comparison to the flat rate under Gains-D. When the cost of fuel considered in combination with these individual needs

items exceeds the flat rate under Gains-D, then the excess amount attributable to fuel costs is paid to the recipient. There is no maximum on the amount payable.

However, through an oversight which took place during 1977-78, it is estimated that approximately from 50 to 100 clients received payments for fuel for which they were not entitled as their overall needs, as defined under family benefits (inclusive of their fuel costs), added to an amount which was less than the Gains-D level. In other words, any fuel costs in excess of those prescribed in the fuel table in the Family Benefits regulations were paid on top of the Gains-D level in error as these costs cannot be recognized unless they combine with other needs items to an amount in excess of the Gains-D level.

Nevertheless, no overpayments were set up as all of these payments were deemed to have been made as a result of administrative error.

In conclusion, there was no change in policy. Further, the ministry has not refused to reimburse any Gains-D recipient whose fuel costs calculated in combination with other individual needs items exceeds the Gains-D flat rate. As a result, the government did not "save" any money.

#### HOSPITAL EMERGENCY SERVICES

**265. Mr. Isaacs:** Does the Ministry of Health issue guidelines, criteria or regulations concerning the operation of the hospital emergency department? How many hospitals offer 24-hour service in their emergency department without ensuring that a doctor is available in the building on a 24-hour basis? Which hospitals lock the access doors to their emergency department during the night hours even though the emergency department offers 24-hour service? (Tabled October 6, 1980.)

**Hon. Mr. Timbrell:** The Ministry of Health does not issue such guidelines. Information on hospital operations is available from the individual hospitals.

#### DEFINITION OF TERM

**269. Mr. Laughren:** Will the Ministry of Industry and Tourism provide a definition of the term "outrageous semi-Communist"? (Tabled October 6, 1980.)

**Hon. Mr. Grossman:** Since the minister himself has not defined anyone by that term, the ministry is therefore not the agency to be asked to define "outrageous semi-communist."

#### LIQUID INDUSTRIAL WASTE

**273. Mr. Isaacs:** Will the Minister of the Environment provide copies of all agreements and correspondence between himself or his staff on behalf of the ministry and Browning-Ferris Industries Limited or Ridge Landfill Corp. which relate in any way to the proposed industrial solidification plant in Harwich township? (Tabled October 7, 1980.)

See sessional paper 247.

**274. Mr. Isaacs:** Will the Minister of the Environment provide a written explanation of the discrepancy between his ministry's data on PCB concentrations in Redhill Creek sediment (samples taken October 23, 1979, and March 24, 1980) and those data presented to the regional municipality of Hamilton-Wentworth by Gartner Lee Associates Limited (report dated September 1980; samples taken October 31, 1979)? (Tabled October 7, 1980.)

**Hon. Mr. Parrott:** During the hydrogeological investigation of the Upper Ottawa Street landfill site carried out by Gartner Lee for the regional municipality of Hamilton-Wentworth, sediment samples from Redhill Creek were collected in September 1979 and analysed by Peninsula Chemical Analysis Limited in Niagara Falls. The sample locations are as shown on the attached map, and the data was reported as 662 parts per million above the landfill site and 244 parts per million below the site.

Ministry of the Environment samples collected on October 26, 1979, and March 24, 1980, (locations on map attached to original of reply) showed values from 60 to 140 parts per billion, (0.06 to 0.140 parts per million). This range was reasonable, based on the water analyses of landfill leachate and Redhill Creek waters which occasionally showed detectable levels (detection limit 0.02 parts per billion).

The original sediment samples from September 1979 were obtained from the regional municipality of Hamilton-Wentworth, and analysed by the Ministry of the Environment laboratory. These results were reported as 90 parts per billion (.090 parts per million) above the landfill site and 130 parts per billion (0.130 parts per million) below the site. These results were consistent with existing MOE data and consistent with other environmental monitoring in the province.

#### MENTAL HEALTH LEGISLATION

**278. Mr. Breaugh:** Will the Minister of Health provide an estimated date of procla-



mation for sections 28 and 29 of the Mental Health Act, 1978? (Tabled October 9, 1980.)

**Hon. Mr. Timbrell:** (a) The requirement (section 28(1) and 28(2)) that the area director of legal aid be notified when a certificate of involuntary admission or a certificate of renewal is completed, regardless of whether the psychiatric patient agrees to such notification, may well constitute an infringement of the patient's right to confidentiality. I will await the Krever report before making a decision regarding this procedure.

(b) Section 29 merely continues the effectiveness of an involuntary certificate or renewed certificate until confirmed or rescinded on a hearing or appeal.

**279. Mr. Breaugh:** Will the Minister of Health table any documents pertinent to the two year delay in proclaiming sections 28 and 29 of the Mental Health Act, 1978? (Tabled October 9, 1980.)

**Hon. Mr. Timbrell:** I will soon be tabling an options paper on the Mental Health Act which will examine the unproclaimed provisions, the 1978 amendments currently in force, and a number of other issues included in the report of the legal task force of the Ontario Council of Health.

#### OHIP PREMIUMS

**297. Mr. Breaugh:** Will the minister specify when the ministry is going to increase the eligible taxable income levels for premium assistance and to what levels, in the light of increasing inflation and unemployment? (Tabled October 9, 1980.)

**Hon. F. S. Miller:** The setting of the taxable income levels determining premium assistance is a budget item and is under review with other matters at this time.

I would point out that while the taxable income criteria have not changed in two years, the value of earned income to which they relate have. Indexing of the personal income tax system has ensured that income increases at or below the measured rate of inflation (of the CPI) will not push a person out the taxable income zone for premium assistance.

For example, in 1978, \$5,000 in taxable income for a man with a wife and two children translated into about \$11,160 in gross income. In 1980, it will require \$12,330 to

get the same \$5,000 in taxable income, an increase of over \$1,200.

It is also important to recognize that the Ministry of Health provides a program of temporary premium assistance. This measure provides premium-free Ontario hospital insurance plan coverage for persons who are temporarily unable to pay premiums. This may occur in cases of unemployment, illness, disability or financial hardship, and where the applicant does not qualify for any other form of total premium assistance.

#### INTERIM ANSWERS

On questions 267 and 268 by Mr. Breithaupt, Hon. Mr. Drea provided the following interim answer: The information is being assembled and will be available by October 31 approximately.

On question 271 by Mr. Breithaupt, Hon. Mr. Bennett provided the following interim answer: Due to the many facets of the question and the necessity of contacting all 60 housing authorities for much of the data, the answers to this question will not be available until the week of November 10, 1980, approximately.

On question 277 by Mr. Cunningham; questions 280, 281, 282, 285, 286, 287 and 288 and 296 by Mr. Breaugh and question 298 by Mr. Warner, Hon. Mr. Timbrell provided the following interim answer: Due to the large number of questions addressed to my ministry, additional time is required to research and prepare the responses. I anticipate that my answers will be tabled on or about December 1, 1980.

On questions 309 by Mr. Bolan, 310 by Mr. Blundy, 311 by Mr. Bolan, 312 by Mr. Bradley, 313 by Mr. Breithaupt, 314 by Mr. McEwen, 315 by Mr. Cunningham, 316 by Mr. Epp, 317 by Mr. Gaunt, 318 by Mr. Haggerty, 319 by Mr. Kerrio, 320 by Mr. O'Neil, 321 by Mr. Peterson, 322 by Mr. J. Reed, 323 by Mr. T. P. Reid, 324 by Mr. Riddell, 325 by Mr. Ruston, 326 by Mr. Stong, 327 by Mr. Sweeney, 328 by Mr. Van Horne, 329 by Mr. Sweeney, 330 by Mr. Mancini, 331 by Mr. Hall, 332 by Mrs. Campbell, and 333 by Mr. Conway, Hon. Mr. Grossman provided the following interim answer: Additional time will be required to answer these questions. A response will be available on November 30, 1980, approximately.

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# **Legislature of Ontario Debates**

## **Official Report (Hansard)**

**Fourth Session, 31st Parliament**

Tuesday, October 21, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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TUESDAY, OCTOBER 21, 1980

The House met at 2:04 p.m.

Prayers.

## REFERENCE IN REPORT

**Mr. McGuigan:** Mr. Speaker, I rise on a point of privilege. On page 89, the report of the Royal Commission of Inquiry into Discounting and Allowances in the Food Industry in Ontario says: "Mr. Frank Warnock, the president of M. Loeb Limited, testified on behalf of that company as to Mr. McGuigan's allegations. He testified that the IGA store manager asked Mr. McGuigan's son for a discount on the apples as the store manager wished to buy as cheaply as possible. The son agreed to the discount in order to obtain the business of that store. Furthermore, the witness testified that the store manager's request for such a discount was against Loeb company policy. Although discounting is contrary to company policy, it takes place 'day after day in the field' as store managers attempt to obtain the lowest net price possible, he explained."

Mr. Speaker, my son did not speak to the store management at any time and his only contact with either the store or Loeb was when he phoned to say that the discount they were taking off our invoices was in contravention of the Apple Marketing Commission regulations. I resent the wording that my evidence was an allegation. If the judge considered it as such, why did he not call my son and the store manager as witnesses?

I would point out that if discounting took place only in the field, then one would question why discounts were unilaterally taken at the head office without the supplier's consent, either verbally or written. I cannot allow the word "allegation" to go unchallenged, and I believe my privilege as a member has been abused.

**Mr. Speaker:** I will have a look at the reference the honourable member made to the report and, if it appears that your privileges have been infringed upon in any way, I will report that to the House.

## STATEMENTS BY THE MINISTRY

### STATUS OF WOMEN COUNCIL REPORT

**Hon. Mrs. Birch:** Mr. Speaker, later today I will table the sixth annual report of the Ontario Status of Women Council.

The council has been very active this past year in working to improve the status of women in this province and has strengthened its ties with women's organizations across Ontario.

Seated in the gallery today is the council's chairperson, Lynne Gordon, and Linda Silver Dranoff. I would like to take this opportunity to thank Lynne Gordon as well as all council members and staff for their dedication and diligence in bringing the concerns of women to the attention of government.

### PEACH PROCESSING INDUSTRY

**Hon. Mr. Henderson:** Mr. Speaker, I have copies of this statement for opposition members.

I would like to respond to some of the comments raised yesterday regarding Ontario's fruit processing industry and, in particular, the peach processing industry.

I want to clarify the difference between freestone peaches, which we all love to eat fresh from the farm, and the clingstone varieties, which lend themselves to modern canning methods. It is important that honourable members distinguish the difference. Clingstone means that the fruit clings to the pit but it is firm; it can be handled mechanically and will retain its colour, appearance and good flavour in the can.

The industry realized some time ago that the canned product from our freestone variety peaches could not compete against large volumes of low-cost, and in some instances, subsidized imports of canned clingstones from California, South Africa and Australia. The lack of sufficient tariff protection contributed to a decline in our production and processing of traditional peach varieties.

Ontario traditionally produced freestone variety peaches, but it was recognized that the Ontario industry would have to swing over to production of clingstones if the pro-

cessing industry were to compete. It has been a difficult task, but we are starting to see some gratifying results.

2:10 p.m.

The peach research committee was formed a number of years ago, and our experimental station at Vineland tested many varieties of clingstone peaches and was able to recommend some varieties for planting in Ontario which would provide sufficient yields and a superior-quality product.

The peach research committee is working constantly on all production aspects of peaches, including culture, trickle irrigation and new varieties to ensure that new plantings will be developed on the most efficient basis for Ontario conditions.

The Ontario government is also giving leadership through the tender fruit development committee. This committee is made up of producers, processors, researchers and the government. It has charted out a replanting program for clingstones which has been under way for eight years. The industry has decided to proceed without government financial assistance in the replanting program at this time.

I am gratified to note that the amount of clingstones coming to market has increased to 3,900 tons in 1980, some 1,000 tons more than last year. We expect this will increase each year. The major processor in Ontario has been working with individual growers and it is expected that additional clingstones will be planted each year until the industry reaches its first target of producing 10,000 tons for processing by the year 1990.

To facilitate the long-term development of the peach processing industry, the Ontario government, through the Ontario Development Corporation, was instrumental in getting a cold storage built at St. Davids in the Niagara Peninsula. The Ontario Fruit-for-Processing Co-operative undertook a 15-year business incentive program loan with the Ontario Development Corporation for \$500,000, interest-free for five years. The cold storage is necessary to condition clingstone peaches for processing.

As I stated earlier, one of the main obstacles to the development of the industry was the lack of tariff protection on imported products. In spite of all our efforts in Ontario, we still needed relief from the low-price imports. The entire industry, including producers, processors and this government, pressed the federal government—

**Mr. Bradley:** It will be somebody else's fault. It's always somebody else's fault.

**Hon. Mr. Henderson:** Just listen to the next word or two. For some years the federal government was pressed to provide adequate tariff protection.

**Mr. Bradley:** Including Mr. Wise.

**Hon. Mr. Henderson:** Yes, including Mr. Wise. I am glad you brought his name up, because I was going to.

The new federal government elected in May 1979—the whole House knows who they were—came through with some relief. As a result, on February 1, 1980, the tariff on imported processed peaches was changed from a fixed tariff of 2.5 cents per pound to 12.5 per cent of the processed value. Now, with this greater protection, the planting program for clingstone peaches will speed up.

This would mean the old tariff on a 56-pound case of canned peaches would be \$1.40. If the import value of a case was, say, \$20, then the new tariff rate would be \$2.50, or almost twice as much.

We currently have 75,000 bearing clingstone trees producing about 4,000 tons annually. We have 30,000 nonbearing trees already in the ground. In 1981, 33,000 clings will be planted, and in each year until 1985 plantings will take place to provide 270,000 clingstones planted out by 1985. This will provide the targets set by the industry of 10,000 tons by 1990 as previously stated.

Incidentally, the new tariff program is of major value to other sectors. The outstanding example is the tomato solids processing program, which will result in major increases in tomato farming and processing.

We know that market share of Ontario-grown peaches has dropped substantially from what it once was, and that the processing sector has gone through a rationalization. I believe the above-stated facts indicate the reason for this and show the situation is reversing as a result of our help and interest.

Contrary to the belief of some people, the Ontario fruit industry is here to stay, and it will stay. Total tonnage of peaches for processing in 1980 was 4,916 tons of which 3,900 tons were clingstones, up 1,000 tons from the previous year. I am pleased to say that total production of peaches for processed and fresh markets is increasing, and in 1980 it totalled some 34,000 tons, up 20 per cent over 1979. The processing tonnage for all tender fruit, excluding grapes, in 1980 was 26,622 tons versus 23,243 in 1979.



I would make one last comment on this matter. The producers and processors of tender fruit, through the Ontario Tender Fruit Institute, are involved in co-operation with the Foodland Ontario shared-cost program in the promotion of processed fruit products, which include cherries, peaches, plums and pears. A very successful frozen cherry promotion has just concluded. A promotion exhibit is planned at the Royal Winter Fair, and a canned fruit promotion is scheduled for the month of March.

This government is vitally concerned with the future of the fruit industry in this province. We have and will continue to support this industry in every way we can.

### INDIAN TREATY RIGHTS AND HUNTING

Hon. Mr. Auld: Mr. Speaker, during recent debate on the motion for the second reading of Bill 59, An Act to amend the Game and Fish Act, the member for Riverdale (Mr. Renwick) and others raised questions concerning the hunting, fishing and trapping rights of native people in Ontario.

I recognize there is confusion on the part of many of us, including the Indian people, on this subject. I would like again to briefly state the approach we have taken on this matter. First of all, I should note that my remarks here refer only to status Indian people in Ontario. However, only the status Indian people who are parties to treaties in northern Ontario have treaty rights relating to hunting, fishing and trapping.

The status Indian people in southern Ontario are parties to treaties and purchases that do not include such treaty rights. These people, though, are claiming they have an aboriginal right to hunt, fish and trap, and we have agreed to review that claim with them.

Members will understand that there are numerous ifs and buts that should be included in a statement such as this. However, it is our approach that the status Indian people can legally hunt moose, deer and other game animals within their own treaty area, at any time of the year, without a licence, and without a limit on the number of animals they take.

There are, however, some qualifiers. They must not sell them, waste them, or take them in a way that imperils public safety. We have taken the position that the treaties in northern Ontario take precedence over the sections of the Game and Fish Act that relate to the taking of game, except those sections dealing

with selling game, wasting game or public safety.

2:20 p.m.

Since a case dealing with the Game and Fish Act and the treaty right to trap in the Treaty No. 9 area is now before the divisional court on appeal, I can only tell the House that at the moment it is our view that the registered trapline system in Ontario applies to all status Indian people in Ontario, as it does to all non-Indian people in Ontario. However, we will review our position on this after the courts have dealt further with that question.

Probably the most difficult aspect of this issue to deal with is the fishing. This is largely because in a legal sense the Ontario fishery regulations, which are actually federal regulations under the Fisheries Act of Canada, apply to status Indian people in Ontario as well as to all other people. This, of course, does not recognize that some status Indian people have treaty fishing rights.

In view of this, I have agreed to recognize, through changes to the Ontario fishery regulations, an Indian food fishery for each band that has fishing rights under a treaty. I have further agreed to negotiate these changes with the Indian people and the federal government.

We realize that the negotiation of such changes will likely take considerable time. Because of this, the Indian people asked that we propose interim measures to reduce the number of charges against Indian people under the Ontario fishery regulations during these negotiations. In response, I offered to issue a permit to each individual Indian band that had treaty fishing rights in order to use their domestic food fishery within an area near their reserve as agreed locally with our field staff. This offer was rejected by the representatives of the Indian people.

I have also agreed, as requested by the Indian people at our meeting on June 18 of this year, to look at the feasibility of establishing a procedure that would provide for an administrative review of all charges proposed against status Indian people under the Ontario fishery regulations. This suggested review would look at whether the Indian person or persons involved were fishing or hunting migratory birds for food for their own domestic use. I include hunting here because the legal situation in relation to the Migratory Birds Convention Act is similar to the Ontario fishery regulations since they are both federal laws. However, I am unable to give the House at this time any further indication

of the possible form such a review might take.

Much of the information that I include in this statement today has been provided in writing to the representatives of the Indian people of Ontario on previous occasions. On June 18 of this year, at a meeting with them in Toronto, I tabled a proposal for dealing with the Indian food fishery in Ontario. Previously, on May 10, 1979, I sent a letter to the presidents and grand chiefs of each of the four major Indian organizations in Ontario and to each of the regional directors in the Ministry of Natural Resources. Attached to this letter was a comprehensive and detailed statement of our position on the enforcement of hunting and fishing laws as they relate to the treaty rights of status Indian people in Ontario. Copies of these documents are attached to this statement.

Honourable members will recognize that I have stated on several occasions, and will now again reconfirm, our willingness to negotiate with the Indian people and the federal government to reach agreement on changes to the various game and fish laws that are seen to be in conflict with Indian treaty rights. In this context, it is important that I respond to some suggestions by members of the opposition that they would introduce an amendment to the Game and Fish Act that would exempt status Indian people from section 35 of that act, a section which requires all persons to have a licence to hunt game in Ontario.

First, as I have just stated, it is our position that we will negotiate changes to hunting and fishing laws as they relate to treaty rights rather than proceed unilaterally. However, notwithstanding that, it is my understanding that it is well established, and it is certainly our interpretation, that section 88 of the Indian Act makes the suggested amendments to section 35 of the Game and Fish Act redundant.

In addition, it is my further understanding that, even if Ontario did move to include such an amendment in the Game and Fish Act, it would be unable to do so since that would be legislating specifically with respect to "Indians," an area that by section 91(24) of the British North America Act is exclusively within the jurisdiction of the Parliament of Canada.

I look forward to further negotiations with the Indian people and the federal government on the issues I have outlined here today. It is my hope that the House can proceed to debate and accept Bill 59, An Act to amend the Game and Fish Act, as presented.

## ORAL QUESTIONS

### HOSPITAL FUNDING

**Mr. S. Smith:** Mr. Speaker, I have a question of the Minister of Health. I would like to quote to the minister two statements in the Toronto Star attributed to Dr. Hugh Smythe and ask the minister for some comment.

"It is pretty bad when you are in the middle of pinning a hip and the image intensifier quits on you," said Dr. Hugh Smythe, "but it has reached that point." He goes on to say: "We have been arguing that depreciation matter since 1974. The government will probably make the decision by 1986 and that is too late for us. The equipment is breaking down now." Would the minister care to comment?

**Hon. Mr. Timbrell:** Mr. Speaker, the question of new equipment purchases, both replacements and the introduction of new equipment, is a very important one. Over the years we have attempted to keep up with reasonable levels of inflation and depreciation, but I recognize in some cases, particularly with new machinery where there are new generations of machines coming on faster than one can imagine, the increases are faster than what has been allowed for.

I would point out that for a number of years now the ministry relationship with hospitals has been on the basis of global budgets so that the hospitals may move the money around within their budgets as they see fit and as their priorities and needs change, whereas many years ago it was strictly on a line-by-line basis and the priorities for individual hospitals were decided by the ministry, not by the hospitals themselves.

**Mr. S. Smith:** Would the minister not admit that the method by which depreciation is granted a certain percentage each year is simply inadequate to deal with replacement costs of the sorts of things that are going wrong day by day, the kinds of things one has to expect to replace on an ongoing basis, even apart from the fact that the new equipment is more sophisticated and therefore even more expensive?

Would the minister not admit that this problem was entirely foreseeable, and would he explain why it is that public hospitals now have to go out to seek funds from the people of Ontario on a private charitable basis, not just for building funds, which we can understand, but simply to keep up the day-to-day replacement of equipment which naturally runs down occasionally and has to be re-



placed? Why should we be dependent on private charity for basic equipment in the hospital?

**Hon. Mr. Timbrell:** First of all, some time ago, given a whole variety of pressures on what has become the traditional budgeting process, we asked the Ontario Hospital Association and the Ontario Council of Administrators of Teaching Hospitals to work with us in evaluating all the budgeting processes in trying to come up with new principles for the future.

That work has been completed by the committee and the report is under review by our staff, as members probably know. We will continue to work with the hospitals on this, including the question of depreciation allowance.

The other thing I have to say is that the boards of the hospitals and the administrators are facing the very same problem on a day-to-day basis as I face. That is, the demands being placed on them for new equipment, new programs, new staff, new whatever, are always greater than are the resources available, even though spending on health in the last four years I have been in the portfolio has gone up by more than 50 per cent. The pressures are always greater than the resources available.

**Mr. Conway:** Supplementary, Mr. Speaker: The minister indicated in his second response that there was an internal review within his ministry—sorry, he did not? I want to know what he is going to tell the assembly and Dr. Hugh Smythe as to whether we will all have to wait until 1986 before some determination is made by the government, and therefore made public, to deal with this very serious, acute problem which many people in the hospital community are quite justifiably complaining about.

2:30 p.m.

**Hon. Mr. Timbrell:** What I indicated was that we have been working with the hospital association and the council of administrators of teaching hospitals in evaluating the process, and even the principles, of hospital budgeting. It is fair to say that Dr. Smythe, or the administration of the board of that hospital or any hospital would not want to go back to the days of line-by-line budgeting where the ministry in effect determined and dictated their priorities. Rather, they would want to keep the global budgeting process whereby they can move the money between departments and between priorities as they see fit.

Clearly we want to ensure that the hospitals are well-staffed and well-equipped. What I am saying to the member, and I do not think he would want anybody to get the impression otherwise as a point of view, is that there are always demands on the board and on the ministry for more programs and more equipment. There will always be a waiting list, as it were, for new ideas, new equipment and new programs greater than the resources available at a point in time. Consequently, one has to evaluate the priorities. We rely on the boards and the administration to do that for their own hospitals.

**Mr. S. Smith:** I am not sure whether the minister is suggesting that the hospitals have somehow been wasting money in their operating expenses which they should otherwise have put into their—

**Hon. Mr. Timbrell.** I neither said that nor inferred that, and the honourable member is taking a cheap shot.

**Mr. S. Smith:** I am terribly sorry. I will say this on that point, if I might: I distinctly heard the minister say they could redirect money within a global budget; they had that kind of freedom. Therefore, if they did not have the money now for the replacement of this day-to-day outdated and obsolescence of their equipment, conceivably the only reason he would have brought up the whole matter of budgeting was that he was implying there might have been money for that elsewhere in the budget. If that was not what he was implying, then I have to wonder why he brought it up.

The question I would like to ask is; does the minister not admit that what Mr. Boyd McAulay said is correct? He said: "A lot of equipment should have been replaced before this, but we have been living so close to the vest with government restrictions for so long, we couldn't do it. Now all of a sudden, the chickens have come home to roost."

Would the minister, at the very least, get his government to cancel some of its outlandish programs, such as its vast advertising program, and give the money to these hospitals so they do not have to beg from the public on a charitable basis for the day-to-day equipment needs that every hospital has?

**Hon. Mr. Timbrell:** I have before me a clipping from the Kingston Whig-Standard, dated September 28, 1978, which is headed, "Ontario Must Slash Spending, Warns Smith." That was just after the member demanded that my budget be slashed by \$50 million. The government of Ontario, which sits on

this side of the Speaker, has no greater priority than health care. In fact, the spending on health care in the less than four years I have been minister has gone up by more than 50 per cent.

I would like to have the advantage of the member opposite of trying to be all things to all people, of trying to say to all people that there will never be the need to evaluate the priorities and to do things in order. The fact is, we in this government do spend more than \$14 million a day, every day of the week, every day of the year, on health care.

### MINISTRY ADVERTISING

**Mr. S. Smith:** Mr. Speaker, I have a question of the Minister of the Environment regarding the ministry's current television advertising campaign. A certain commercial in particular shows a man in a canoe—the minister may be aware of this one—and the name “Howard Spencer” comes on superimposed. The gentleman describes himself as an engineer and comments on his opinion about the mechanisms used by the Ministry of the Environment. Can the minister inform the House whether the gentleman in the commercial is, in fact, Howard Spencer? If he is not Howard Spencer, is there an engineer called Howard Spencer? If there is an engineer called Howard Spencer, did he give permission to the actor portraying him to convey the message exactly as it is conveyed in the commercial?

**Hon. Mr. Parrott:** Mr. Speaker, the answer to that is no, yes and yes.

**Mr. S. Smith:** Will the minister elaborate? Will the minister assure us that he will table in this House the written authority given by this Howard Spencer, as well as the credentials of this Howard Spencer? Will he furthermore guarantee to this House that in all the commercials in which a name is superimposed or in which a professional status is alleged by the person that those professional statuses are either the profession of the person alleging it or the profession of the person whose name is being taking on for the purpose of portrayal?

**Hon. Mr. Parrott:** I am not trying to be flip, but again the answer is yes and yes.

**Mr. Di Santo:** Supplementary, Mr. Speaker: In view of the fact it is accepted that the campaign is a waste of money, should this government not get together with the federal government and dismiss both of the campaigns and devote that money to such services as day care or the hospital equipment

that the Leader of the Opposition (Mr. S. Smith) was talking about before?

**Hon. Mr. Parrott:** I do not accept that it is a waste of money and, if I went to the federal government, I do not think I would get much sympathy; they spend about 10 times what we do on advertising.

### LIQUID INDUSTRIAL WASTE

**Mr. Cassidy:** Mr. Speaker, I want to move from the minister's world of illusion to his ineffectiveness in protecting the environment of Ontario. Can the Minister of the Environment explain why the government is continuing to work with Walker Brothers Quarries Limited in Thorold as a co-proponent in developing facilities for solidifying liquid industrial waste when Walker Brothers is permitting liquid industrial waste to be dumped at its dump near Thorold in direct contravention and direct violation of the licence it has received from the Minister of the Environment? This is the licence here.

**Hon. Mr. Parrott:** Mr. Speaker, we are working with a lot of people on a lot of sites, and that is the way the honourable member would have it. We understand right now that there are some particular problems at that site and they are being addressed.

**Mr. Cassidy:** Since there is evidence that liquid wastes are being trucked into that particular site near Thorold, can the minister explain why the ministry is prepared to put up \$100,000 of public money to enable Walker Brothers to make its case before the Environmental Assessment Board when this company clearly is not even able to police the present dump site that it has in the Niagara Peninsula?

**Hon. Mr. Parrott:** First of all, I want to say again—I have said it many times and I hope eventually it is clearly understood—that the ministry is a co-proponent on the process of solidification, not only in the St. Catharines-Thorold area but also in Harwich. We are co-proponents on the process of solidification, and I think the member and I both know that he and many other critics have suggested that he too agrees with the concept of solidification. That is the point that has to be made.

As regards whether the site is an appropriate site, we are not a co-proponent. We certainly selected those two sites and then said very clearly: “For that site to receive approval, it must go through the full environmental assessment and the board will decide whether that site meets the specifications.”



**Mr. S. Smith:** Supplementary, Mr. Speaker: Does the minister not admit that, although the solidification process itself might be acceptable, the way in which a company conducts that process is the operative point? In Hamilton, for instance, the company was not sufficiently rigorous; there was a hole in the thing, and the solidification process turned into the magic box with which he is well familiar.

If these people who are to be trusted presumably to conduct the process cannot or do not wish to police their own sites right now, why would he want to get himself involved in this way? Why would the ministry not make it clear that it wants nothing to do with these particular companies that cannot properly operate the sites they have at present and that it is not prepared to trust them to operate a much more elaborate and important site?

2:40 p.m.

**Hon. Mr. Parrott:** I guess it means the member would ask that no site ever be given that approval. As a matter of fact, had the member listened on many occasions, he would know we have said we will be on those sites where large volumes of liquid waste will be accepted for solidification processing. We will be there on a full-time basis, 24 hours a day, so that we can assure ourselves there is no illegal dumping on those sites. That has been glossed over a bit. But I think it is extremely important that the ministry will be there on a continuous basis to make sure no materials are accepted that cannot be treated.

**Mr. Swart:** Mr. Speaker, now that Walker Brothers Quarries has violated its certificate and broken the laws of this province—and this is not an isolated incident in its case—will the minister at least put a total freeze on any further moves towards the use of the adjacent Walker site for the proposed Soliroc process for waste liquid treatment and disposal? Will he maintain the freeze until, through a thorough site examination and investigation, he sees how badly he has been hoodwinked with the present system?

**Hon. Mr. Parrott:** I am not quite in the same position as the member opposite—

**Mr. MacDonald:** He knows the facts.

**Hon. Mr. Parrott:** No. He has made the accusation and then said the guilt was proven. That is not the case. It may very well be that the accusations have been made and that they are correct. But there is a vast difference between making the accusation and having the case proven. He has not made that case.

**Mr. Kerrio:** Mr. Speaker, does the minister not think that, because of his past regulations and his position of not being responsible in those past dump sites, he is creating a backlash whereby the average citizen now is put in the terrible position of not knowing whom to trust? In the light of this past performance, does he not agree that this new solidification process is in very dire circumstances because he has not seen fit in very recent times to control the dumping in Ontario?

**Hon. Mr. Parrott:** That again is just not the fact. I am sorry to have to say it so bluntly. Sometimes one has to take a look at what else is going on. This seven-point program has said very clearly we want the dumping of untreated wastes in Ontario stopped, period—no ands, buts or ifs. We want the dumping of untreated wastes stopped. We are in a very active program of finding suitable sites; that does not happen overnight. The member rightly has demanded hearings, and we have agreed; that too takes time.

There is no jurisdiction in Canada that even comes close to our active program of finding methods of treating our liquid industrial waste. I defy any member of this House to put forward one piece of evidence which denies that Ontario leads and leads by a country mile.

#### STATUS OF WOMEN COUNCIL REPORT

**Mr. Cassidy:** Mr. Speaker, I have a question for the Provincial Secretary for Social Development, with respect to the report of the Ontario Status of Women Council, which she will be tabling in the Legislature today. The Ontario Status of Women Council states specifically that it is anxiously awaiting a government-sponsored bill which would address the growing wage gap between men and women. They once again endorse the need for legislation for equal pay for work of equal value.

In view of this, will the government agree to stop blocking Bill 3, which is awaiting final passage in the Legislature? Will it bring that legislation into the House so that we can enact it for third reading before this House adjourns in December?

**Hon. Mrs. Birch:** Mr. Speaker, that recommendation, along with many of the others submitted in the annual report, is receiving consideration by this government.

**Mr. Cassidy:** Since this is a test of the government's policies—if it has any policies—

for equality, including economic equality for women, and since the status of women council has also recommended that Ontario should have a comprehensive child care policy which recognizes that child care is a vital family support service for anyone who needs it, is the government prepared to accept the recommendations of the status of women council and bring in universally accessible day care for the province?

**Hon. Mrs. Birch:** The answer is no.

**Mr. S. Smith:** Supplementary, Mr. Speaker: This report was introduced with great fanfare and with glowing remarks by the minister about the chairman and other individuals, but the main things being requested by the advisory council consist of about 12 items, virtually every one of which has been turned down by the government—equal pay for work of equal value, turned down; legislated affirmative action, turned down; contract compliance, turned down; affirmative action in the private sector, turned down; child care policy, turned down; human rights legislation for class action, turned down; pensions, turned down.

Since practically everything they have asked for has been turned down, why is the minister wasting the time of the people on the Ontario Status of Women Council? Why does she not thank them for their services, let them get on with other things and stop the farce of pretending that she is interested in their advice?

**Hon. Mrs. Birch:** That is typical of the Leader of the Opposition—a very cynical approach. We receive reports from advisory councils in various ministries. I have indicated that many of the recommendations are still under consideration. It is not easy to make decisions based on recommendations that are submitted by a particular group of people. There are many pros and cons that have to be addressed, and we are doing that throughout the government.

**Mr. Bounsall:** Supplementary, Mr. Speaker: From the minister's answer, can we expect this government to be taking the same attitude towards those areas outlined in the report as it did to Bill 157, which we introduced at the opening of this session, specifically the areas of work incentive, skills training, legislated affirmative action, contract compliance and sexual harassment as well as to the private member's bill tabled here last spring on the employment of domestic workers and their inclusion in the Labour Relations Act?

Can we expect this government to give the same treatment to all those areas as it did to my Bill 3 on equal pay for work of equal value? Is the government's attitude still that all these ideas are interesting but they are ideas whose time has not yet come?

**Hon. Mrs. Birch:** I am delighted to hear the comments of the new women's adviser for the New Democratic Party. I too have had, and continue to have, a stake in the advancement of women in this province, and I have every bit as much interest as he has in seeing that women are treated equally and fairly in all those areas he has indicated.

He has not taken into consideration that many of the programs are already in place. He has glossed over the numbers of people in the work incentive area. Through the Ministry of Community and Social Services, more than 1,000 women are being assisted in gaining re-employment and while they are in the process of coming back into the labour force. I did not notice him mentioning that, yet it is a very successful program. It was one of the first in the whole of Canada to be implemented, and many other governments are following our lead. The member does not seem to want to pay any attention to the very positive things that are happening for women in this province.

**Mrs. Campbell:** Supplementary, Mr. Speaker: In view of the deplorable record of this government in its own service, why does the minister, instead of complimenting these people who have worked so hard, simply not tell them, as she no doubt will tell this House in a few months, that the report is irrelevant?

**Hon. Mrs. Birch:** I find it difficult even to respond to the honourable member, who is a very cynical person as well and who does not even appreciate that people are advancing whether she is willing to recognize it or not. Things are happening; there are affirmative action programs and women are being given opportunities—perhaps not as quickly as some of us would like, but it is happening.

2:50 p.m.

#### USE OF SCHOOL PHONES

**Mr. Roy:** Mr. Speaker, I support the leader of the New Democratic Party when he says, "Move aside; we will take over," as Bob White said of the United Auto Workers.

I would like to ask a question of the Minister of Education. Will the minister undertake to look at the policy of certain high



schools—an Ottawa high school in particular—which denies students the use of a pay phone, especially after late evening school dances, and which resulted in the unfortunate situation in Ottawa over the weekend whereby a young girl was denied the use of a pay phone to call her parents for a ride home, had to walk home and unfortunately was the victim of a hit-and-run accident?

**Hon. Miss Stephenson:** Mr. Speaker, I have been informed by the Carleton Board of Education about this very unfortunate incident, which occurred on Friday evening and resulted in the death of a student of Ecole Secondaire Carneau. The policy of that board is apparently that, after school hours, the use of the pay phone may be permitted to a student provided the student is accompanied by a teacher.

The Carleton board has asked for a specific report on all of the occurrences of that evening. It is apparently their intention to have all of that information available by the first of next week, and I have asked that we be informed completely as soon as that information is available regarding the circumstances of that evening.

The policy for the use of phones within the school is of course the prerogative of the board in most circumstances, but I shall most certainly look to see whether those are so restrictive as to cause potential incidents in which this kind of totally unfortunate and tragic occurrence might happen.

**Mr. Roy:** In view of the fact that apparently this was not the first time the use of the phone had been denied to students in similar circumstances, will the minister also review with the board of education whether there is not some method whereby, in co-operation with Bell Canada or somebody, students could have the use of a pay phone in an area that is not necessarily locked?

Does the minister not feel, especially considering that this type of incident happened before in the Orleans area, where the school is somewhat isolated, that it just seems so unreal that the students' only effective method of communication was denied in such circumstances?

**Hon. Miss Stephenson:** I am aware that it is alleged the student was denied the use of the telephone. I am also aware that there is a statement on behalf of the principal of the school that all that is required to have the phone used is a request to the supervising teacher to accompany the student to the telephone.

I would hope that in most circumstances and in most schools there would not be the possibility of having to move to a locked portion of the school to use a pay telephone. Surely there is a place within the school which would be more convenient to the area that is being used by students for after-school activities and could be utilized much more easily and much more readily by the students under such circumstances. I will be looking into that.

**Ms. Gigantes:** Supplementary, Mr. Speaker: I would like to ask whether the minister is aware that, even at the Ottawa-Carleton Detention Centre, prisoners seem to have access to telephones to get hold of their lawyers, and why a school board would have a policy that would restrict the use of telephones by students.

**Hon. Miss Stephenson:** It would be pure conjecture on my part to assume the rationale for the policy. I would suggest that it probably has been developed on the basis of the fact that students do not often have to use the phone during the normal school circumstances, and during normal school circumstances can use the ordinary phone in the school office.

I have no idea why the pay phone is located on the second floor. I would surmise that perhaps the location was the reason the policy had been established that a student had to be accompanied by a supervising teacher to go into that portion of the school which under normal circumstances is locked after school. But I really do not know and, as I said, it is pure conjecture on my part to suggest these things.

I will try to find out why they developed such a policy, but I have to tell the honourable member I am not aware that correctional institutions grant privileges that are not granted to secondary school students.

#### MASSEY-FERGUSON

**Mr. Laughren:** Mr. Speaker, I have a question of the Minister of Industry and Tourism concerning the refinancing assistance to Massey-Ferguson. Can the minister tell us if any of the commitments he and his federal counterpart have given to Massey-Ferguson have extracted from Massey in return a firm commitment to build a diesel plant? They admit they want to build one in this country in the near future and perhaps an axle and transmission plant further down the road.

If one is built in this country as a result of this financing—if they survive after they get the refinancing—will they be coming back to

the trough for more assistance at that time to help them build that diesel plant? Can the minister assure us that is one of the commitments he has been able to extract, and indeed will insist on from Massey, before anything is guaranteed to that company?

**Hon. Mr. Grossman:** Mr. Speaker, a key part of the undertakings we are seeking from the company would require that all future investments of that variety occur in Ontario—or in Canada, I should say more accurately. With regard to that specific one, if there turns out to be an opportunity to get that diesel plant relocated here, that would be and is one of our goals.

The member can tell from my remarks there are certain clear impediments to the movement of that diesel plant. I would be misleading the House if I indicated we were able to deliver that as part of the package. But the member can be assured we do have an eye on that particular diesel operation.

**Mr. Laughren:** I was referring to a new one, not the existing Perkins operation in England.

Since the guarantees the two ministers are talking about will ensure that the public sector at best can break even, and could end up losing money and having the private investors protected, not the public sector, why will the Minister of Industry and Tourism not insist on an equity position in the company, and preferably an equity position that will give the public sector control of Massey?

Does the minister not see the rather striking parallel between the agricultural implement industry and the aerospace industry, which a few years ago was bailed out by the public sector and maintained as an important, high-technology industry in this country? Does the minister not see the striking parallel between those two examples? When is he going to stop socializing the cost of public investment in the private sector rather than guaranteeing there are some social benefits to be accrued by the public sector as well?

**Hon. Mr. Grossman:** What we are trying to accomplish is not a government takeover of Massey-Ferguson, which would cost the taxpayers of this province perhaps hundreds of millions of dollars. That, it seems to me, is not what the taxpayers of this province want.

What the taxpayers of this province surely want and expect from government is that we get maximum leverage for a minimum amount of taxpayers' investment. What our statement yesterday indicated was that there is some hope that can be accomplished.

I would remind the member that by going the route we are currently talking about it may well be we will accomplish total private sector funding for Massey-Ferguson and get it back on track without it costing the taxpayers of this province one cent. We have also minimized our downside risk by virtue of the kind of proposal that is on the table.

3 p.m.

If the member is advocating that we buy controlling interest in the company and run it as a government operation in the public sector, he has to be prepared to advocate investing in that industry and that firm—as opposed to other industries—hundreds of millions of taxpayers' dollars. He would still then not be terribly certain the company would survive in the long run. I do not think that is the kind of situation the taxpayers are asking for.

If we are successful in the current endeavour, I repeat, we may end up saving those jobs, getting outstanding commitments to preserve those jobs, adding to our industrial strength in that sector and not costing the taxpayers of this province a nickel. That, it seems to me, is good government.

**Mr. Nixon:** Supplementary, Mr. Speaker: Since the basic credit test for Massey is only nine days away, can the minister assure the House, and the people in the Brantford area particularly that he has received assurances the creditors will not be pressing for a liquidation of the assets when that credit test comes forward at the end of the month?

**Hon. Mr. Grossman:** All I can say at this time is that yesterday's statement was issued in part to assist the creditors in making their decisions. We would hope that creditors would respond positively to the positive indication given by government of our willingness to participate in certain circumstances. We would hope that would somewhat alleviate some restlessness out there amongst the creditors.

**Mr. Makarchuk:** Supplementary, Mr. Speaker: Since the whole package of refinancing Massey is dependent upon government funding or support, one way or the other, why does the minister refuse to take control of the company? Why does he not insist the government has that kind of share control which will give it the power to ensure it can put the engine plant and the axle and transmission plants in Ontario? The fact is, it has no control whatsoever over that corporation if the stockholders decide to put the



plant somewhere else. Its maximum leverage is nothing but an illusion.

**Hon. Mr. Grossman:** I would remind the member that was not the position of his party when the Chrysler alternative was before us. His party was not advocating that the only solution for that company would be to buy up enough shares to control it. The member's party was advocating quite sensibly that we use whatever leverage we had to maximize the benefits we could for Canada. We succeeded in doing that in this province.

**Mr. Makarchuk:** No, this government did not.

**Hon. Mr. Grossman:** The member says we did not? He had better check and see what his party leader said in that circumstance.

The member seems to be suggesting that the best solution for Massey-Ferguson is for the taxpayers to buy up the company and run it, while all of us on this side of the House, the bureaucracy, act, in the words of the member for London Centre (Mr. Peterson) the other night, as a surrogate board of directors and simply order that certain assets be transferred to this country and that different production be undertaken. If he is suggesting that, it is a sure recipe for the loss of those jobs.

The member would like to live in the dream world of pretending that all government has to do is sit down and say, "Would you mind putting that plant here, putting those jobs there and making this product." Surely even the taxpayers in his riding would expect us to see whether we can lever good, sensible, private sector management, with their own money on the line and their own reputation at stake, bringing their expertise to the running of that company and not, frankly, the expertise of some bureaucrat civil servants or politicians. That is what the taxpayers demand.

I understand the member's political obligations, but we have a wider responsibility to all the taxpayers. They will get that kind of leadership here as they got it in the Chrysler case with the support of his party.

#### GANG KILLING

**Hon. Mr. McMurtry:** Mr. Speaker, during question period on October 10, a number of members opposite expressed concern about the tragic death of John Vernon Turner at a weight-lifting competition in the city of Hamilton. At the time, I stressed that the Hamilton-Wentworth Police Force was giving

this investigation the highest priority. A warrant has been issued for one suspect and police are vigorously pursuing every possible lead that might enable additional charges to be laid. I am personally satisfied that everything possible has been done to apprehend those responsible for this vicious assault.

One question which I was unable to deal with on October 10 was the question posed by the member for Niagara Falls (Mr. Kerrio) regarding security arrangements at Hamilton Place, which, as the members will recall, was the scene of the attack on Mr. Turner and his friend. I am now able to assure the member and others who expressed concern, that the management at Hamilton Place had no reason to suspect the presence of police would be required that evening.

A similar competition held last year passed without incident and there was no reason for officials to contact the Hamilton-Wentworth force concerning extra security measures. I was also assured by Chief Gordon Torrance that his men had no information that members of the Parkdale gang would be in attendance that night. Quite frankly, the sudden and unprovoked attack came as a complete surprise.

Let me assure you, Mr. Speaker, that Chief Torrance and his men are making every effort—again I repeat—to bring those responsible for Mr. Turner's death to justice. In view of the interest expressed by the member for Niagara Falls and others, I will keep the House advised of further developments in this case.

**Mr. Kerrio:** Mr. Speaker, a supplementary: Does it not come as a surprise to the minister, and is it not rather disappointing, that when such a circumstance took place in a public place we have only one man charged when obviously many more people were involved and the police have not named other names and brought forward the kind of witnesses who would be able to attest to the numbers involved and the people involved?

**Hon. Mr. McMurtry:** I repeat what I have said in the past; I share the horror of all citizens in relation to this vicious assault in a very public place—a place that is frequented by a cross-section of the community, a very popular meeting place. Obviously, I, together with the Hamilton-Wentworth Police Force, share the disappointment that to date only one warrant for the arrest of one accused person has been issued, because I agree with the honourable member that there are obviously others involved.

All I can state, once again, is that every reasonable avenue has been pursued and the

law enforcement authorities are reasonably confident that other warrants for other accused persons will be issued in the not-too-distant future.

**Mr. Stong:** A supplementary, Mr. Speaker: Can the minister assure us that he has given instructions to the police force to monitor this gang of thugs and gangs like this whenever they assemble in public, so that we will not have repetitions of this type of incident?

**Hon. Mr. McMurtry:** Yes.

### FOOD INDUSTRY PRACTICES

**Mr. Riddell:** Mr. Speaker, I have a question to the Minister of Agriculture and Food. In reference to the report of the Royal Commission of Inquiry into Discounting and Allowances in the Food Industry in Ontario and in view of the minister's statement in the Legislature on October 10 alluding to the three recommendations in the report, does the minister not realize that along with those three innocuous recommendations there is a fourth recommendation contained in the body of the report which states the Legislature should create a watchdog mechanism to ensure that those non-negotiable rebates, which the commission was evidently unable to unsurface in its investigations, do not reappear?

If there was no problem in the first place in connection with rebates, discounts and allowances, as alleged by the royal commission, then what kind of reappearance of the problem is the commission alluding to when it recommends that "a forum outside government be established to mediate problems"? With the contradictions that are found in this report and with the recommendations which fly in the face of the testimony that was given, what action is the minister now going to take to protect the small grocers and processors considering that the royal commission found there were no problems, and yet they do not want these problems to recur?

3:10 p.m.

**Hon. Mr. Henderson:** Mr. Speaker, I am well aware of all the comments in the report. I am well aware of the suggestion that we should possibly consider setting up such a committee. I personally want to wait until I hear from the consumers, from the processors, from the producers and from all the people associated with the food handling industry before I tie the people of this province down with additional regulations and legislation they may not want.

**Mr. Riddell:** When the minister was asked to comment on the recommendation that grocers should be allowed to sell wine, he stated, and I quote, "I don't believe we have many small grocers left; so I am not too worried about that." Does he not understand that the reason for the royal commission investigation was to ascertain whether the discounting practices had led to the demise of the small or independent grocer and processor? Does he not realize there are those of us on this side of the House who requested that commission, who do not believe in the old Tory philosophy that there is no place in Ontario for small business?

Interjections.

**Mr. Speaker:** Order. Does the honourable member want an answer to the question or does he already know it?

**Hon. Mr. Henderson:** The honourable member is well aware of the position of this party when we appointed the royal commission. We appointed a judge, a man with all the abilities; he has listened to the evidence and has presented a report. He has made recommendations in that report. I have made my position clear. I am going to wait until I have input from the world out there, not necessarily the individual making the suggestions here in the House.

**Mr. MacDonald:** Supplementary, Mr. Speaker. How can the minister make a statement that he was not aware of any small grocers left? If he had read the report, it stated that there are 7,000-odd small retailers and only 600 big retailers.

**Hon. Mr. Henderson:** The honourable member is making up words to put in his mouth.

**Mr. McGuigan:** Supplementary, Mr. Speaker: How can the minister consider his recommendation of an outside agency to solve a real problem, in view of the government's record of accepting outside advice when it pleases them and rejecting outside advice whenever it pleases them, such as in the Cantrakon and Beaver Valley cases?

**Hon. Mr. Henderson:** I am not sure I understand the question. Would the member repeat it?

**Mr. McGuigan:** The minister indicated he was considering the advice of an outside agency.

**Hon. Mr. Henderson:** No. When did I indicate that?

**Mr. McGuigan:** He said he was studying it.



**Hon. Mr. Henderson:** No, I did not. I said I was waiting for reports from the public out there, not from an agency. I have no agency.

**Mr. Speaker:** Would the honourable member like to rephrase the question?

**Mr. McGuigan:** No. I have my answer.

### NAMASCO LAYOFFS

**Mr. Cooke:** Mr. Speaker, I have a question for the Minister of Industry and Tourism. I wonder whether he is aware of the announcement by Namasco, a steel company in Windsor, that as of October 31 another 25 employees will be laid off. There are already 35 people on layoff from this company, and this company will stop production of its products and instead act as a warehouse.

Is the minister also aware that the two other plants of this company, one in Burlington and one in Winnipeg, are non-union plants and will be taking over the production of the unionized plant in Windsor? Is this not a good example of a company that should have to justify its closure, or its 90 per cent closure, of a plant in Ontario before it is allowed to close the plant?

**Hon. Mr. Grossman:** Obviously, Mr. Speaker, I do not have all the details of that reduction in employment at that plant, but, just on the basis of what he has said, would the member be equally prepared to have public justification of situations where unions strike and close down a plant? Would he go along with the same thing on the other side of the ladder?

**Mr. Cooke:** Since this minister is so concerned about foreign corporations and whether they are going to come to Ontario, I would like to ask him what advice he would give to a constituent of mine, a Mr. Bob Welch. He worked for Auto Specialties for 24 years until 1971, when that company ran out of Windsor and he lost his job, and now he works for Namasco. By the way, he gets \$19.63 pension at the age of 75 from Auto Specialties for 24 years of work. Now he works at Namasco, which is closing its doors, and he is aged 63 and has no job to go to. How does the minister of lack of concern over there, the minister who only cares about foreign investment, advise my constituent?

**Hon. Mr. Grossman:** I would advise the member's constituent that at the same time that has happened, there are other people in the auto industry—I think of some of the

people in Kitchener—who are benefiting from the fact that some of the rationalization that has gone on in the auto industry has favoured Canada. Some of the rationalization has operated in our favour. In that case, there was a rationalization of facilities out of the United States into Canada.

I would also advise the member's constituent that if he is not satisfied with the arrangements negotiated by the United Automobile Workers on his behalf, he might want to take that up with the UAW.

I would also say that he should keep in mind the remarks made by the industrial development commissioner for Windsor when he pointed out—and I have the letter here if I can get it in my hands before I sit down—that the kinds of things the member is advocating are specifically the kinds of things that will drive new employment out of Windsor.

If the member wished to take the matter up with Jim Moore who I am sure he thinks is an excellent development commissioner for Windsor and who firmly believes that what the member is advocating will drive auto investment out of Windsor, I would be very interested to hear the dialogue between him and Jim Moore because, quite frankly, I will go with Jim Moore over him any time.

### NIAGARA ESCARPMENT DEVELOPMENT

**Hon. Mr. Bennett:** Mr. Speaker, I have the answer to a question that was raised by the member for Welland-Thorold (Mr. Swart) and the member for Halton-Burlington (Mr. J. Reed) yesterday regarding the proposal for a 300-acre resort residential development of 46 single-family detached dwellings and a hotel of some 40 or 50 bedrooms which would also be associated with the recreational facilities. The proposal is located on parts of lots 12, 13 and 14, concession 5, in the township.

The Niagara Escarpment Commission refused to issue a development permit for the proposal. The applicant, as is his right, appealed the matter and a hearing officer recommended refusal. On August 20, 1980, I concurred with the hearing officer's recommendation and refused the issuance of the development permit.

On August 5, 1980, the Beaver Valley group put in an official plan amendment known as number 33. That is two and a half months ago, for the information of the member for Halton-Burlington. The amendment has been circulated to eight ministries

of the government for their comments. There have been 11 requests for referral of this particular amendment to the Ontario Municipal Board, and I have the names of the individuals who have requested this referral. For the information of the House, this morning I signed the letter of referral to the Ontario Municipal Board for its deliberation.

3:20 p.m.

**Mr. Swart:** Supplementary, Mr. Speaker: In view of the fact that this project has been turned down by the minister previously this year, will he give a commitment to this House that the government will oppose this at the hearings which will be coming up at the Ontario Municipal Board?

Might I also ask the minister whether it is true that the firm of Goodman and Goodman, which has Eddie Goodman as the head of it, is involved with the developers or as the lawyers for the developers; that Cambray Investments and Maxtone Holdings Limited are two companies which have as their president Samuel Kolber, who is also the president of Cadillac Fairview; and that Cadillac Fairview gave \$2,000 to the central campaign of the Conservative Party in the last election?

**Hon. Mr. Bennett:** Let me make it very clear, whether it is true or not, that is of no consequences to the Ministry of Housing. I was asked by 11 different individuals and groups if I would refer this item to the Ontario Municipal Board for its unbiased decision relating to amendment number 33. This issue will go the municipal board under the same circumstances as any other referral, with the information being supplied to the municipal board in the complete file that relates to this amendment and the response that my ministry has received from the other ministries of the government of Ontario. That is exactly what we will do in this case, and that is what we would do in any case, regardless of who the applicants and the lawyers are or whether they happen to be good Tories. If they are, they deserve the same attention as anybody else in this province.

#### WASTE FRUIT SALVAGE PROCESS

**Mr. Kerrio:** Mr. Speaker, I have a question of the Minister of the Environment. Is the minister aware of a new process of the Bright Canning Company at Niagara Falls, namely, that of drying and pulverizing waste fruit products, such as grape, tomato and ap-

ple waste, for use in cattle and dog food, a process that salvages waste but has caused great inconvenience to adjacent home owners because of the obnoxious smells and tremendous noise that come from this process?

**Hon. Mr. Parrott:** I am not currently aware of that problem, Mr. Speaker, but I will be glad to have my staff look at it, give me a report and respond to the member's question.

**Mr. Kerrio:** Is the minister also aware that his office in Welland created the situation because the ministry issued a permit for the operation without a site inspection? Therefore, I ask him, will the ministry reimburse the company to move this facility out of the area so that people can enjoy a clean, noise-free environment?

**Hon. Mr. Parrott:** I will include that in my response.

#### WHITE MOTOR CORPORATION

**Mr. Makarchuk:** Mr. Speaker, I have a question for the Minister of Industry and Tourism. Can the minister indicate to the House at this time what the government is doing regarding the problems that are being experienced by White Motor Corporation in Brantford, where about 1,700 jobs are in jeopardy? If so, can he assure the House that the company will resume operations on November 3 or thereabouts?

**Mr. Martel:** That is a big book the minister is carrying.

**Hon. Mr. Grossman:** I like to keep the members as informed as I can.

**Mr. Martel:** It indicates how many problems you have.

**Hon. Mr. Grossman:** It is mostly a list of the problems we have solved. That is why it is such a big book.

Mr. Speaker, we have been monitoring the situation from the start, as we have indicated several times. With the recovery that is being anticipated in farm commodity prices, White informs us its situation is hopeful at the present time. I have some further confidential information which has been relayed to us but which I cannot totally disclose. Suffice it to say that White at this time is fairly optimistic, especially when it looks at its market share, commodity prices and some plans it has for the early part of 1981. At this stage, I can say that the White situation looks very hopeful.

**Mr. Makarchuk:** If there is a delay in the reopening, I presume that the Minister of Labour (Mr. Elgie), as well as the Minister



of Industry and Tourism, will receive notice. Can the minister at this time say whether he has received notice of a further extension of the shutdown or whether the company will be resuming work in 1980?

**Hon. Mr. Grossman:** I believe we are still anticipating a recall of workers, at least in part, during 1980.

**Mr. Nixon:** Supplementary, Mr. Speaker: Did the minister see the report in the *Globe and Mail* a couple of weeks ago of the receiver's meeting involving White in which the implication was that they were attempting to keep the Brantford plant closed since their truck plant in British Columbia was making a profit? Can the minister assure the House that the Brantford plant is seen to be an asset, not only to the community but also to the company?

**Hon. Mr. Grossman:** Yes, I can, on the basis of our information.

**Mr. Speaker:** The time for oral questions has expired.

#### QUESTIONS ON NOTICE PAPER

**Mr. Warner:** Mr. Speaker, on a point of order: In keeping with the standing orders of the House, I filed a question for the Notice Paper on October 9. As you are aware, at least an interim answer is required within 14 days, but rule 81(d) specifies that "the minister shall answer such written questions within 14 days unless he indicates that he requires more time because the answer will be costly or time-consuming, or that he declines to answer." I did get an interim answer, but it does not comply with any of those three particular conditions outlined in the rules.

The interim answer simply said the information would be available on December 1, yet my question was a very simple and straightforward one. It went to the Minister of Health (Mr. Timbrell), and it asked him very simply, "When will the Ministry of Health provide the ministry-approved \$2 million for the expansion of the emergency ward of Scarborough General Hospital?" It was a very straightforward question.

Mr. Speaker, I believe there has been an abuse of the rules, and I seek your guidance in examining that situation and reporting back later.

**Hon. Mr. Wells:** Mr. Speaker, I realize there are two ways of interpreting this rule. Perhaps there should be a comma after "more time" so it would read: ". . . he requires more time, because the answer will be costly or time-consuming . . ."

I think the assumption has been that it would be answered within 14 days but some information may take more time and that discretion is in the hands of the minister. If the minister indicated in an interim answer that he would answer it within a certain length of time, we certainly think that complies with the standing order.

**Mr. Speaker:** It does require a considerable amount of time. I was involved in supplying some information for an answer to an inquiry of the ministry and it did require more time. If it is detailed and time-consuming, obviously you will have to be patient.

**Mr. Warner:** Mr. Speaker, I normally possess patience. This issue goes back many months and it was a very simple, straightforward question. I can only deal, as I believe the Speaker can, with the rule as it is printed.

**Mr. Speaker:** I thought you said it was just over the 14 days.

**Mr. Warner:** The answer within 14 days is not satisfactory, in keeping with standing order 81(d). That is what I am asking you to investigate, Mr. Speaker.

**Mr. Speaker:** I have not heard anything to indicate that the interim answer is in violation of the standing order. I will take a look at it but, on the basis of what I have heard, that would be my impression.

#### QUESTION PERIOD

**Mr. S. Smith:** Mr. Speaker, I rise on a point of order to make the suggestion that, as we near the finish of the question period, we consider adopting what might be termed the football rule? As you know, if the play is in progress in football, one permits the play to be completed and, if there is a penalty, even the play following the penalty has to be completed once the clock has run out.

I wonder whether the purpose of question period might be better served—and I ask you with respect to consider this, sir—if once a question has been started and time runs out, that question, its response and the normal course of supplementaries might be permitted to run the complete course, rather than being truncated by interruption of either a question or an answer or prevention of a supplementary. It is a matter of how one interprets the time limits. As I say, we might consider the football rule, if possible. I ask you to give that some thought, Mr. Speaker.

**Mr. Speaker:** Generally speaking, that is precisely what I do. I give considerable lati-

tude. Quite often we run two or three minutes over simply because a question is put with a minute to go and requires a somewhat detailed answer. I allow the members to do that.

3:30 p.m.

The standing order says the question period will run for one hour, but I don't interrupt. If somebody is on his feet and is recognized, either with a question or an answer, I don't intervene, but I don't allow another supplementary after the time has expired.

## REPORT

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Mr. MacBeth, from the select committee on constitutional reform, presented a report and moved that it be placed on the Order Paper for consideration pursuant to standing order 30(b).

Mr. MacBeth: Mr. Speaker, if I might say a word in regard to that at this time, I would like to take just a moment to mention the appreciation of the committee for the work of our clerk, A. Smirle Forsyth, assistant to the clerk, Franco Carozza, our senior research officer, Dr. Linda Grayson—who, by the way, was provided to us by the legislative library—and her two assistants, Mary Beth Currie and Kathleen Hall. They did excellent work for us and we operated without the benefit of legal counsel.

I would draw your attention however, Mr. Speaker, to the last paragraph of the introduction, which simply says: "There are opinions and recommendations in the report with which individual members of the committee disagree. We have compromised to arrive at recommendations of substance. Since the recommendations represent a consensus on each subject, no single member of the committee should be held responsible for any one of the views expressed in the report."

I want to add that I look forward to a very early discussion of this before the House, because in that last paragraph lies a great deal of meat which I am sure all of us would like to get our teeth into.

Motion agreed to.

## MOTION

### PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Wells moved that, notwithstanding standing order 63(d), Mr. McNeil and

Mr. Leluk exchange positions in the order of precedence, and that Mr. Dukuza and Mr. Charlton also exchange positions in the order of precedence.

Mr. Nixon: Mr. Speaker, I would like to speak briefly to the motion and express my opposition to it. I know that changes in the order of precedence in the private members' hour have occurred in the past. I know there were at least two occasions that I can recall when private members were elevated to the cabinet and their place was taken by members in their party immediately below in the list.

There were other occasions, and I am not sure about it but I believe one involved the member for Rainy River (Mr. T. P. Reid), when he informed us that he would be absent on the business of the Legislature, I believe in his capacity as chairman of the public accounts committee, and the change was offered and accepted under those circumstances.

I do, however, feel that we must beware of allowing the private members' hour simply to become something other than that reserved for the use of private members and become something merely for the use of an individual party.

As you know, Mr. Speaker, from time to time various matters come to public prominence when it would be seen to be useful to bring forward a specific matter for debate, on which occasion the order could be changed so that a matter would come before the House under those circumstances. While that has obvious advantages for all three political parties, it does not have an advantage for the individual and private members of the House. The individual and private members may have a matter they want discussed and debated and accepted or rejected by the House, and lose their opportunity because, I suppose, of the judgement made by others that other matters are more important.

We have come a long way in recognizing and emphasizing the role of the private members in this House. I and others can recall an occasion when no private members' legislation was ever debated or considered. We now do so every Thursday afternoon, and even on Thursday evening we have an opportunity to debate the reports from the standing and select committees—once again, something that was not always the general course of events here.

I feel it is obvious that under certain circumstances changes must be made. The justi-



fication may very well be of the type I have already referred to, in those instances where changes have been made in the past. But simply to request the change and a substitution for reasons that do not fall into that category, I believe is not sufficient justification for the change that is requested by the resolution. For that reason, I for one intend to oppose it.

**Mr. Martel:** Mr. Speaker, I want to remind the House that, notwithstanding what my colleague has just said, there were five occasions last year alone in which this matter was brought forward, where we had five motions to switch business. The switches were: in April, Watson for Handleman; in March, MacBeth for Johnson; on May 29, Epp for Ruston for J. Reed, which was a three-way move; on June 22, Rotenberg for Rollins; and on October 11, Jones for Gregory. The switches have occurred with some regularity.

From this point of view, I agree with my friend that we have come a long way. But I do not think we can shackle the private members.

Anybody who says that some of these private members' bills are not policy of any particular party is just pipe-dreaming. One also has to say, when one looks at the voting pattern in the House of private members' hour, that it is anything but. The fact is that by and large it is a party vote. I would prefer to see it the other way, because on a number of occasions I have departed from voting with my colleagues. But that does not occur very regularly, because we have not really made it into a totally private members' hour.

We veto bills—predominantly by that party over there. I recall one bill in particular that was vetoed by the government and two weeks later the Attorney General introduced the same legislation. We talk about private members' hour. One finds some difficulty at time believing it really is a private members' hour.

As I say, there were five occasions last year when changes were made with no objections. I find it strange that at this time there is an objection, with something about a principle being violated because it relates to something a particular party wants to bring forward. I think it is time we stopped kidding ourselves. This is a political arena, after all. While we say it is a private members' hour, I say we have only gone half way. When there is no veto, then it will become a proper private members' hour. Until such time, it really is not a private members' hour.

I am not going to hide from the fact that we wanted an accommodation based on what we see to be some pretty important matters to be discussed confronting the massive layoffs of the people in this province. Therefore, I do not hide behind this sacred principle, which was not a sacred principle on five other occasions. I am going to support the motion.

**Hon. Mr. Wells:** Mr. Speaker, I have listened to the comments of my two colleagues. My friend the member for Sudbury East (Mr. Martel) has mentioned five occasions when we have made switches already in this particular procedure.

I can understand the point of view of the House leader for the Liberal Party. I can appreciate what he is getting at. But I think the position we would take is that we are trying to be a little too rigid if we feel that in private members' hour, if private members wish to effect some change, we as a House should object to that.

3:40 p.m.

I see nothing wrong with having this debate here, and I see nothing wrong with voting on it. This is what this House is for. But I must put forward the position on behalf of my party. In our case, it is strictly a case of a private member who now, many months after the draw has occurred, finds he cannot be there on the date and at the time when the draw provided that he should take part in that debate.

We do many things around this House, particularly we three House leaders, from time to time with the agreement of the parties and with various other agreements. We change orders and sometimes put other important business in on a Thursday so that even a private member who plans months ahead and works out on the calendar when his bill will come up or his resolution may be debated may find that, through some action of ours, the day upon which he is going to have his chance to debate in this House is no longer the same.

We, to some degree, can take some responsibility for the shifting of dates from time to time. Therefore, I feel it would be wrong for us to deny the members a chance to shift their dates. I really do not think it violates the principle of a private members' hour. I certainly do not object to the fact we had this debate. I think it is good and healthy to debate some of these things that go on in this House from time to time. I feel the motion should be passed.

Mr. Speaker: All those in favour of the motion will please say "aye."

All those opposed will please say "nay."  
In my opinion the ayes have it.

Motion agreed to.

## INTRODUCTION OF BILLS

### CITY OF SAULT STE. MARIE ACT

Mr. Ramsay moved first reading of Bill Pr28, An Act respecting the City of Sault Ste. Marie.

Motion agreed to.

### MOTOR VEHICLE SALES AND SERVICE PROTECTION ACT

Mr. Samis moved first reading of Bill 174, An Act respecting the Sale and Repair of Motor Vehicles in Ontario.

Motion agreed to.

Mr. Samis: Mr. Speaker, the purpose of the bill is to provide protection for purchasers of used cars and consumers of car repair services. The bill requires a motor vehicle dealer to affix a notice containing useful information for potential purchasers to every used motor vehicle offered for sale. The bill sets out a statutory warranty covering the sale of used motor vehicles.

The bill also contains provisions requiring a motor vehicle repair station operator to provide the consumer with an accurate estimate of the cost of repairs. This estimate, if accepted by the consumer, becomes binding on the repair station operator.

The bill also contains a statutory guarantee for repairs. The bill is based upon provisions of the Quebec Consumer Protection Act.

I look forward to the enthusiastic support of the member for Muskoka (Mr. F. S. Miller) for this bill.

## ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I would like to table the answers to questions 270, 272, 276, 289 to 295, inclusive, and the interim answer to question 301 standing on the Notice Paper. (See appendix, page 3613.)

## ORDERS OF THE DAY

### STANDING ORDERS

Hon. Mr. Wells moved resolution 17:

That a new standing order, 47(a), be incorporated into the section entitled "Supply,"

to read: Once the order in which estimates are to be considered is determined under the provisions of standing order 47, that order may be changed either by substantive motion upon notice or by unanimous consent.

Motion agreed to.

## ESTIMATES

Hon. Mr. Wells moved resolution 18:

That the following changes in the sequence and location of the consideration of estimates be made: (1) That the estimates of Treasury be transferred from committee of supply to the standing committee on general government, to be considered following the estimates of the Office of the Provincial Auditor; (2) that the estimates of the Office of the Ombudsman be considered following the estimates of Treasury; (3) that in the standing committee on resources development, the estimates of Natural Resources be considered following the estimates of Industry and Tourism; (4) that the estimates of Housing be transferred to the standing committee on general government, for consideration following the Ombudsman estimates; (5) that the estimates of Labour be transferred to the standing committee on social development, for consideration following the Community and Social Services estimates.

Motion agreed to.

## MUNICIPAL AFFAIRS AMENDMENT ACT

Mr. Rotenberg, on behalf of Hon. Mr. Wells, moved second reading of Bill 172, An Act to amend the Municipal Affairs Act.

Mr. Rotenberg: Mr. Speaker, the purpose of this bill is to alter one provision in the tax arrears procedure in the Municipal Affairs Act. At present, at the end of the period of redemption any person with interest in the property may pay the municipality the arrears in taxes and ask for a conveyance, which is to be approved by the Ministry of Intergovernmental Affairs.

It is proposed that the minister be given discretion to either approve a conveyance or order the registration of a redemption certificate, which would give the person paying the taxes a further lien on the land without jeopardizing the position of the other interested parties.

Mr. Roy: Mr. Speaker, my colleagues and I have looked at this legislation and, co-operative and constructive in opposition as we always are, we have some concerns about



this legislation. Possibly the parliamentary assistant can alleviate our concerns.

As I understand the present legislation, if a property happens to have tax arrears—at least according to the information that has been given us here—and after the one-year period the land has not been redeemed, sold, conveyed or declared by bylaw to be required for municipal purposes, I need to have an interest. I would like to know what is meant by “I need to have an interest.”

Second, if I have that interest, I can pay the taxes and then apply to the Ministry of Intergovernmental Affairs to have a conveyance approved. The minister can approve it whether or not I become the owner of that property. That is what I understand the parliamentary assistant's statement to say. I don't have the present legislation before me.

3:50 p.m.

The question I have is this: Is the parliamentary assistant saying that under the present legislation the only discretion the ministry has is either to approve or not to approve the transaction? In fact, is he saying if everything is in order the ministry generally approves this conveyance? If that is the case, is it his concern that, in approving the transaction, the individual who paid the taxes then gets priority over other people who may have had an interest in that land? That is the concern I have.

As I understand this legislation, it wants to give the ministry more discretion in that matter. It wants to give the ministry discretion either to approve the transaction or to give what is called a registration of redemption certificate so that the money the individual has paid for taxes is registered on title and he, with the other people who have an interest in the land, has some priority.

Could the parliamentary assistant answer my question and any other questions my colleagues may have about this legislation? We have some difficulty understanding the sudden necessity and haste involved in this legislation. It appears to be for a specific project, but some of us have always had some concern about rushing in to something to correct a particular limited situation and winding up with a piece of legislation on the books which may not be in the best interests of other situations in the province.

I can see some merit in this legislation. But, under the present legislation, if someone is trying to take over an important piece of land or something, why does the ministry not just disapprove of the conveyance if it already has that power? Is there a concern that

if it disapproves of the conveyance, the courts may have to look at it? Then there may be some need for some form of justification or good faith or whatever, as the courts by and large give approval of these things if everything is technically correct. That is what some of my colleagues and I would like to know.

**Mr. Charlton:** Mr. Speaker, I share some of the concerns the Liberal member has raised, but not all of them. It is my understanding that the concern raised by the member for Ottawa East about whether the ministry makes the conveyance or turns it down is not correct. Under the circumstances as laid out, the person who pays the taxes and who has an interest in the property has a right to a conveyance under the present legislation. That is my understanding and the legal advice I have had. So that slightly changes the complexion of the concern.

My concern, I guess, and I will be brief, is that it should have taken this government so long. It is my understanding that this existing legislation has been in place for the better part of this century. Why has it taken this government so long to deal with what is so clearly inadequate in legislation? I have to presume that perhaps they waited until all their friends took advantage of the loophole in the legislation. Now that they see others getting close to starting to take advantage, they have to close the loophole. At any rate, we are going to support the legislation and hope this government can improve its future performance in terms of this kind of bad legislation.

It is clear that the average person in Ontario was never aware of this kind of legislation. It is clear that some of the lawyers in this Legislature were not aware of this legislation, although others with whom I have discussed it were. It is very clear that this kind of legal loophole has existed for the better part of a century but most people in this province did not know about it and therefore never had the opportunity of taking advantage of it. Let us face it, there have been hundreds of thousands of people who have lost homes and property while on occasion those who had the right legal counsel and who were able to take advantage of a very slipshod law quite easily got out of some rather large and, from their financial point of view, unbearable debts; they ended up with a property free and clear.

It is important for this Legislature to deal with plugging those kinds of holes, but it is rather sad that this government has allowed this kind of thing to go on. It is obvious

that the people over there, especially those people who were associated with the ministries that administered this legislation, were aware of it all along.

**Mrs. Campbell:** Mr. Speaker, I too have some questions about this particular general amendment. In view of the fact that we have been urging this government to plug the loophole in the power of sale contained in mortgages, nobody is rushing in to protect those people who far more often lose their homes under power of sale with the inadequate provisions there.

In the limited time accorded to me, I personally have consulted with those who are expert in the municipal field, and I have a concern because I do not know what the certificate gives to a person who pays the taxes. I just do not understand how a lien in those circumstances will stand up, for instance, against the first mortgagee who has not undertaken to pay the taxes and who may be in a position to take possession of the property with the taxes paid by somebody else. I do not understand the ramifications of it, quite obviously, and I am in the position where I do not propose to vote for or against until somebody clarifies that position for me.

Obviously, if there is a specific case in point, I should like to know it; I would like to understand it. But at this point in time, I feel that this seems to have been rushed through, for some reason that I do not comprehend, without the adequate opportunity to study this proposed amendment.

**Mr. Isaacs:** Mr. Speaker, like the member for St. George, I too am concerned about the haste with which this bill is being addressed.

It seems to me that it is a minor change in legislation that has been requested by the corporate friends of the government. Yet when we bring to the government a request for a minor change in legislation requested by firefighters which would provide major benefit to firefighters who have taken early retirement, or when we bring to the government a suggestion for a change in legislation that would rectify an obvious omission in the Municipal Elections Act requested by the city of Ottawa to close a loophole there, then the government says, "Yes, we know there is a problem," and it sits on its hands and does absolutely nothing. I think it is a disgrace that the corporate sector gets this kind of immediate treatment, yet the people of this province, the firefighters and the municipalities

that are trying to enforce a municipal election spending bylaw, get absolutely no help at all in the same kind of time frame.

It is just an indication of the attitude this government has to the people and the municipalities of the province, and I hope the parliamentary assistant is ashamed.

4 p.m.

**Mr. Bolan:** Mr. Speaker, what I am concerned about in this bill is the apparent discretion which the ministry has. As I understand it, under the proposed legislation the ministry has two options. One is that it can register in the land registry office a redemption certificate. What I want from the parliamentary assistant is an explanation as to just what happens once that redemption certificate is registered. What flows from that? So what—so the redemption certificate is registered; what does that mean to the owner who is affected by the tax arrears?

The other option is to convey the land to the applicant as the minister considers just in the circumstances. What are the circumstances under which this is just? What criteria will be used to determine what is just? Will it be the whimsical demands of the ministry at that particular time? What will the policy be to determine what is just and what is right?

Again, we are left with legislation here that really takes away the rule of law and imposes instead the rule of man, where it is up to the individual to determine what is just under the circumstances. It has always been my understanding that for a law to be just, it must apply to everybody. That is the rule of law so that when we look at the law, when we look at the legislation, we know exactly what criteria each individual must meet. We should not be put in the position where one has to run to the ministry to find out just what it is that this person must do for it to be just. Again, that to me is the fundamental question that must be asked by us as one of the opposition parties.

**Mr. Rotenberg:** Mr. Speaker, I will attempt to answer the concerns—and they are certainly legitimate concerns—of the members opposite, and I hope I can do that in this speech in winding up the second reading debate. However, if there are further questions after this, I guess it would have to go to the committee of the whole House to get further questions asked and answered.

Let me first outline the procedure that is now in force. When taxes on a property are in arrears for three years, at the end of that period it is registered and, if everything



is complied with, one year after the three-year period we come under the procedure that is now in force.

The way the present law is written, at the expiration of the fourth year, which is one day after the expiration of the fourth year, any person with an interest—and to the member for Ottawa East (Mr. Roy), a person with an interest is the owner, any mortgagee or any lienholder on the property—any person with an interest can come in and pay those taxes. The way the present legislation is written—I would point out to the member for Hamilton Mountain (Mr. Charlton) the legislation really was written in 1935 and an amendment was put in in 1974, which is really what is causing a problem—as we interpret it, is that if a person who has an interest pays the taxes, the ministry has no discretion at the moment; the ministry must approve the conveyance. The purpose of having the ministry come into the situation is so that the ministry can supervise to make sure the municipality has done everything necessary, and all the procedures have been gone through in order that the land is conveyed.

The way we read the act is, the ministry must approve, and the problem is the conveyance goes with clear title to that person who redeems the land and pays the taxes. In other words, under the present law all other mortgagees would be wiped out; so that a person who walks in and pays the property taxes one day after the fourth year has expired—and, to the best of our knowledge, we have not had a case of this happening yet—that person can insist that he be entitled to free and clear title. The owner and other mortgagees would be wiped out. We do not feel that is a proper or just position.

**Mrs. Campbell:** Why do they not pay their taxes?

**Mr. Rotenberg:** Sometimes, for whatever reason, people do not. It is somewhat theoretical because, to the best of our knowledge, it has not happened yet.

**Mr. Roy:** Mr. Speaker, may I ask the parliamentary assistant a question on this?

**Mr. Rotenberg:** I am delighted to cooperate on this matter. It is up to the Speaker.

**The Deputy Speaker:** A very brief question.

**Mr. Roy:** I just want to understand what the parliamentary assistant is saying. First, an individual must have an interest, minor as it may be, and, second, once the indi-

vidual goes through the proper technical procedure, the ministry has no discretion. It must approve.

**Mr. Rotenberg:** That is the way we now interpret the act. It has not been tested. That is where the problem is. I may say to the member for Hamilton Mountain (Mr. Charlton) and others that this has not arisen because of any request from anybody in the corporate sector, the development sector or the property-owning sector. It has arisen from our field service review of cases that have been drawn to our attention from various municipalities.

There was a pending case, and I pointed this out to the opposition critics last week, which resolved itself. It was a case in Niagara Falls where a matter was coming down, within a few days, to the end of the four-year period. Enquiries had been made and there was a feeling that an injustice could have been done if someone got in ahead of someone else and paid those taxes. Someone with a very minor interest might have taken over whatever was left of this situation. In the meantime, I believe one day last week, the matter went into receivership and somebody did pay the taxes before the fourth year expired. However, had that not happened and had someone paid the taxes the day after the fourth year expired, which was yesterday, there could have been an embarrassing situation where the minister would have had to approve a conveyance to a person with a minor interest and possibly would have wiped out the interests of other people. Fortunately, property owners, mortgagees, lienholders, et cetera are knowledgeable within the law and this did not happen.

As I have indicated, in our review of legislation, this is a matter that was on our schedule for this fall, to have this anomaly in the act changed so that there could not be a case where an injustice could be done and someone could be wiped out simply by this procedure.

As a matter of interest to the members of the third party, this could be abused in another procedure. In the area of checkerboarding—where we will not give clear title and people have checkerboarded—an owner, where there are no liens and no other person interested, could simply let his taxes lapse for four years and then insist on a clear title when he should not be getting that clear title. The possibility of that abuse will also not be available under this present situation. It may be available, but the minister has the discretion.

One of the reasons the act was changed in 1974, I believe, was probably that there were a number of properties in northern Ontario where there was no legal way of getting clear title to a property. This procedure was deemed as a way to get clear title for a person who, for whatever legal reason—I am not a lawyer and cannot answer the questions—could not get clear title. Therefore, if a person let his taxes lapse the municipality would give him clear title at the end of the fourth year if no one else had an interest.

To the best of my knowledge, no one as yet has taken over a property under this procedure, although there have been a number of inquiries to our ministry from municipalities where this procedure was pending or where someone came in and asked for a title but the matter was settled between the people with interests. We are afraid that tomorrow, next week, next month, or at some time, someone will come in, pay their taxes, not allow the matter to be settled, insist on taking it to court and be able to take over a property where they had only a minor interest and not a total interest. The owner and the first and second mortgagees or whoever might be wiped out.

4:10 p.m.

There are cases where the person who pays the taxes should be legitimately entitled to take over the property. There are cases where the person should not be entitled to take over the property.

The ministry, in a number of parallel situations, does have some discretion and some options in working with the municipality. Under the present legislation, the ministry has to give approval to any conveyance of title under this tax registration procedure. We feel the short-term answer to the problem is to allow the ministry the option of approving that and allowing the property to be conveyed, or more likely to have registered a redemption certificate, which means the taxes are paid. The lien of the municipality, as far as the taxes are concerned, is removed and the person who paid the taxes has that amount added to whatever claim he has to the property.

The member for St. George (Mrs. Campbell) talked about the power of sale. I assume she means the power of sale where taxes were not paid. I do not know whether she is talking about the general power of sale—

**Mrs. Campbell:** No. I spoke about the power of sale and mortgages—to do something about it.

**Mr. Rotenberg:** With respect, the member for St. George may be correct, but that is certainly something beyond the control of the ministry I am representing.

A municipality can proceed under power of sale for unpaid taxes or under this basis.

I cannot indicate to the members of the House the exact timing on it but the whole procedure is now being looked at by our ministry. This is one situation where there definitely could be inequities. There may be other situations where there could be inequities. Although it was maybe correct in 1935, in 1980 it may not be the proper way for a municipality to recover taxes by having someone pay the taxes and taking over the ownership of the entire property to the detriment of other interested parties, be it owner, mortgagee or lienholder.

I hope I have answered most of the concerns of the members opposite. This is our short-term answer—

**Mrs. Campbell:** The parliamentary assistant has not answered mine. What is the value of the lien?

**Mr. Rotenberg:** The amount put up for taxes by the person who pays off the tax bill. That is the amount of his lien.

**Mr. Roy:** Does one have priority over a mortgage, for instance?

**Mrs. Campbell:** What priority does one get with that lien?

**Mr. Rotenberg:** The lien is paid for by an interested party and would be added to whatever lien, mortgage or whatever his interest was previously. If the owner pays the taxes then he does not have a lien; he has paid off his own taxes. If the first, or second or third mortgagee pays, it is added to whatever interest he has in his property.

**Mrs. Campbell:** Could I have some clarification, Mr. Speaker?

**Mr. Rotenberg:** Mr. Speaker, I can understand there is some—

**An hon. member:** Answer the question.

**Mr. Rotenberg:** With respect, Mr. Speaker, I am attempting to answer the questions that have been put before us.

The person who pays the taxes must be a person who already has an interest in the property. He must have a lien on the property, be it a first mortgage, second mortgage, mechanic's lien or whatever.

**Mr. Bolan:** When does he exercise his rights under the lien?

**Mr. Rotenberg:** The amount that person pays in taxes adds to his lien. It does not



change his position in order of priorities; it is added on to his present position. Let us say the first mortgage is for \$100,000 and the second mortgage is for \$50,000; if the second mortgagee pays \$2,000 in taxes, then he has a \$52,000 second mortgage. It is added on to the position of the person who pays the taxes. I think the member for Ottawa East (Mr. Roy) is with me on this one.

**Mr. Kerrio:** In other words, we are not going to get too many taxes paid.

**Mr. Rotenberg:** The municipality has the option of proceeding under another procedure as well. For example, some people do come in and pay the taxes to protect their equity.

I believe I have answered the questions that have been put forward to us except the question by the member for St. George on the general problem of power of sale which is a matter for another ministry.

**Mr. Bolan:** When is the ministry to give a certificate and when does it use conveyance?

**The Deputy Speaker:** Order. There seems to be a lot of questions. Let the parliamentary assistant finish.

**Mr. Rotenberg:** As I indicated earlier, Mr. Speaker, I can understand the concerns and I am quite willing to attempt to answer all the concerns of the members opposite. There seem to be more concerns. I am quite prepared, if the members opposite agree, to have it approved in principle and then take it to committee of the whole House so we can have a better discussion of this matter. Then if the members opposite are not happy, they have the option of turning it down.

One final point: The member for Nipissing (Mr. Bolan) has raised a point about discretion. Discretion is exactly what it says. It is discretion which allows the minister not to give the conveyance where he feels that the interest of a party, other than the person who paid the taxes, would be jeopardized by a conveyance. The purpose of the discretion is to protect all interested parties, whoever they may be.

If it seems that justice is properly served by the conveyance being made, the conveyance will be made. Under the Statutory Powers Procedure Act, persons who feel they have been hard done by can appeal to the court if they feel they have not been treated properly.

Because there seem to be concerns, if it is the will of the House, I would have this bill go to committee of the whole to try to answer any further concerns.

**The Deputy Speaker:** All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Ordered for committee of the whole House.

## BEEF CATTLE MARKETING AMENDMENT ACT

Mr. McNeil, on behalf of Hon. Mr. Henderson, moved second reading of Bill 152, An Act to amend the Beef Cattle Marketing Act.

**Mr. McNeil:** Mr. Speaker, the general purpose of the bill is to amend the Beef Cattle Marketing Act. The bill changes the method of calculating licence fees to the Ontario Cattlemen's Association from an amount per head of cattle marketed to a percentage of the sale price, not exceeding two tenths of one per cent, and removes limitations on annual fee increases. These fees are collected by the Ontario Cattlemen's Association and are used to fund the operations of and the services provided by the association to the producers. The act permits individual members to apply for and receive a refund of the fees collected on their marketed cattle. This provision is retained in the amended act.

The bill also provides procedures and requirements for the livestock commissioner to issue a list of plants approved for the purchase of cattle on a carcass weight basis and to prohibit the purchase of animals for slaughter on a carcass weight basis where the plant is not on the list. The present act does not provide authority to publish a list of plants that are adhering to the regulations pertaining to the purchase of cattle on a carcass weight basis.

The present wording associated with the imposition of penalties for noncompliance with the act and regulations is unclear. The amendments to these marketing acts will provide for the livestock commissioner to hold a hearing before (a) refusing to add the name of a plant to the approved list where a plant has requested to be on the list, or (b) removing the name of a plant from the approved list unless there is reason to believe that such action is necessary for the protection of producers.

4:20 p.m.

Where a hearing has not been held before taking action on either of the above matters,

a hearing must be held within 15 days. Where there is not a serious risk to producers, plant operators must be given a reasonable opportunity to achieve compliance with the act and the regulations before a hearing is held.

The operator of a plant is entitled to examine all written or documented evidence before the hearing. Plant operators can appeal the decision of the livestock commissioner to the Agricultural Licensing and Registration Review Board, and the board's decision may be appealed to the courts.

The amendments are derived from resolutions passed by the membership of the Ontario Cattlemen's Association at their last two annual meetings. I understand the Canadian Meat Council is supporting the amendments.

This bill does not affect the revenues or expenditures of the government of Ontario, except it may generate a slight increase in workload for the livestock commissioner and the Agricultural Licensing and Registration Review Board.

The relative size of any resulting fee increase will be insignificant compared to the market price of cattle. Thus, while cattle producers may be affected by having to pay slightly increased fees, it is judged that any increase would not affect the consumer prices for beef. Cattle producers will benefit from the assurance that packing houses are complying with standardized, carcass-weight marketing procedures, and the credibility of the packing industry will be enhanced with increased packer costs.

**Mr. Riddell:** Mr. Speaker, I am a little disappointed that the Minister of Agriculture and Food (Mr. Henderson) did not remain in the House for such significant legislation as the Beef Cattle Marketing Act and the Warble Fly Control Repeal Act, which we will be dealing with next. But it is always gratifying to see the parliamentary assistant pilot these important bills through the House. I always appreciate having dialogue with one person on that side of the House who I personally feel has an understanding of the agricultural industry.

**Mr. MacDonald:** Take your tongue out of your cheek.

**Mr. Riddell:** No, no. I believe in that. I would also like to take this opportunity to thank the parliamentary assistant for the very kind words which he had to say about the member for Huron-Bruce (Mr. Gaunt) and me, as reported in the *Toronto Sun* not too long ago.

**Mr. MacDonald:** Is this relevant to the bill, Mr. Speaker?

**Mr. Riddell:** If the member for Elgin (Mr. McNeil) were going to stand for re-election, I would be tempted to put a sign on my lawn.

Now to the bill. Really, the Minister of Agriculture and Food is responding to the recommendations and the resolutions passed by the Ontario Cattlemen's Association. I believe these resolutions were supported by the Canadian Meat Council.

As the amendment indicates, there will be a change in the method of calculating licence fees from a flat rate to a percentage of the sale price of the animal not to exceed two tenths of one per cent. I believe the reason for this is that there have been declining beef sales. There were declining beef sales in 1979 and a predicted decline in 1980; therefore, the revenue coming into the Ontario Cattlemen's Association was also declining. I believe they want to carry on more promotional work and do some more research to put their commodity on a competitive basis with other commodities where there is quite a bit of research and promotional work done; it does not matter whether it is the dairy industry or the pork industry.

The Ontario Cattlemen's Association thought they had better get into the act and start promoting their beef in order to have more revenue; so, with the declining sales, they felt this was one way of getting it. Certainly, if the cattlemen do not object to this, I have no objections to it either.

The second part of the amendment is to provide procedures and requirements for the livestock commissioner to issue a list of plants approved for the purchase of cattle on a carcass-weight basis and to prohibit the purchase of animals for slaughter on a carcass-weight basis where the plant is not on the list.

Again, this is something the cattlemen's association recommended in its brief to the cabinet in June 1980. I guess the request carried over from 1979, when they asked that the Beef Cattle Marketing Act be amended to formally incorporate the procedure of approving packing firms to purchase on a carcass-weight basis and that authority be provided to allow the inspection of scales at all locations where cattle and/or carcasses are weighed for settlement. Again, it is gratifying to see that there will be a standardized procedure by the packing plants in connection with the buying of cattle on a carcass-weight basis. Certainly the credibility



of the packing industry will be enhanced by this amendment.

The third part of the amendment is to increase the penalties for contravention of the act or regulation to a maximum of \$1,000. This had to be done as the original penalty was so small that it was really insignificant. Certainly anyone who wanted to contravene the act would not mind paying the slight penalty that was imposed on him by the original act. We certainly have no objections to supporting this very important amendment to the Beef Cattle Marketing Act.

**Mr. MacDonald:** Mr. Speaker, I have never found it very useful to add to the record when the record is already pretty complete. The parliamentary assistant has explained the purpose of the bill. The member for Huron-Middlesex (Mr. Riddell) has added some comments on it. The Ontario Cattlemen's Association, through resolutions at its annual meeting, has sought this; the Canadian Meat Council approves of it; the Ontario Federation of Agriculture has no objection; so I do not know why anybody in this House should have any particular objection.

Maybe it should be noted, however, that there are some farmers—I suspect a minority—who have objected from the outset about a procedure by which the legislative right is given to a group that is not a marketing board—it is just an association—for raising levies. There has been a slight rumbling of protest with regard to that. However, the cattlemen's association is an organization that has always had some internal conflicts with regard to the grass-roots views not being totally and accurately reflected by a rather elitist group at the top. They are in the process of resolving that and perhaps reflecting more accurately some of that grass-roots feeling.

That, however, is another issue. I do not think it needs to be brought into the picture here other than to perhaps acknowledge that there is a minority of views out there that raise questions with regard to legislating the right to raise money in this fashion through an organization that does not wish, up to this point, to move towards becoming a marketing board within the framework of farm product marketing legislation.

I think the amendments are worthy of support, and I am glad to join others in so expressing that support.

**Mr. McNeil:** Mr. Speaker, in answer to the member for Huron-Middlesex, the basic reason for changing the percentage rate not only is to maintain the Ontario Cattlemen's Association revenues, but also it is believed

to be fairer to the producer. The producer will pay according to the value rather than pay the same amount for low-value animals.

With respect to the member for York South (Mr. MacDonald), regarding rebatable licence fees, I understand that five per cent have requested that their licence fees be rebatable.

Motion agreed to.

Ordered for third reading.

4:30 p.m.

#### WARBLE FLY CONTROL REPEAL ACT

**Mr. McNeil,** on behalf of Hon. Mr. Henderson, moved second reading of Bill 153, An Act to repeal the Warble Fly Control Act.

**Mr. McNeil:** Mr. Speaker, the Warble Fly Control Act has been in place since 1947. The development and adoption of a new technology for treating cattle to control warble grubs has resulted in the provisions of the act becoming redundant as a means of warble grub control. Thus, the purpose of the bill is to remove redundant legislation from the statutes.

The Warble Fly Control Act was permissive legislation which provided municipalities with authority to pass bylaws making treatment of cattle for warble grubs compulsory in the spring of the year. Warble grubs, in the larvae stage of the life cycle of the warble fly, infest cattle and adversely affect the rate of gain in beef cattle, milk production in dairy cattle and the quality of hides.

When the act was introduced, the only treatment available was the use of Dare's powder, which was applied to the backs of cattle as the grubs emerged in the spring. Treatment using a systemic insecticide, applied in the fall of the year, now provides a more effective and efficient method of control and is being widely used by livestock producers.

Bylaws under the act were at one time in existence and were being enforced in most municipalities in which livestock are produced. Such bylaws are now being enforced in less than 30 municipalities throughout the province. The others have simply ceased enforcement owing to redundancy of spring warble grub treatment.

Cattle owners are the only members of the public affected by the act. The Ontario Cattlemen's Association, through a resolution passed at its 1980 annual meeting, has requested that the act be repealed.

**Mr. Riddell:** Mr. Speaker, once again, the Minister of Agriculture and Food (Mr. Henderson) is responding to the recommendations of the Ontario Cattlemen's Association in asking that the Warble Fly Control Act be rescinded. Inasmuch as the parliamentary assistant could have just stood up and asked for second reading of this and sat down, I think it requires a little more verbiage than he may have thought it did.

All these bills are given the closest of scrutiny in our caucus and, when the Warble Fly Control Repeal Act comes before the caucus, they want to know why that bill is being rescinded; so I go into some detail in telling them, and I think this is the way it should be.

The Warble Fly Control Act, as the parliamentary assistant indicated, has been in place since 1947, and undoubtedly it was a very useful instrument in the 1950s and the 1960s in controlling warble flies. I know, as I was farming at that time. They would come into my place, and I would have to round up the cattle because of them. The sprayers would be there and they would spray the backs of the cattle; then they would come back in a week or two weeks and do the job over again. It did control the warble grub, and my cattle were very comfortable and put on excellent gains for me. I was able to market hides that I am sure the tanneries liked to get, without all those holes in them. So it did serve a very useful purpose.

However, technology has produced grub control products far superior to Dare's powder, which the parliamentary assistant alluded to and which is specified as the control product under the act. As well, production practices and intensity of livestock units have undergone substantial change.

A survey was conducted by the livestock branch of the Ministry of Agriculture and Food. We have some of those very highly qualified people with us today sitting under the galleries listening to this very important debate. Their survey showed that only eight per cent of the municipalities were enforcing the bylaw. Of those, it appeared that not all of the cattle in the municipality were being treated; so really the act was redundant. In the light of this, it was recommended to the 1980 annual meeting of the Ontario Cattlemen's Association, and approved by the delegates, that the Warble Fly Control Act be rescinded on the ground that it only creates an illusion of protection.

Once again, I abide by the wisdom of the cattlemen in Ontario, and I take great pleasure in supporting this legislation.

**Mr. MacDonald:** Mr. Speaker, I think it is commendable that medical technology in the animal field has advanced to the point where they are now able to control the warble fly more effectively than was the case 30 years or so ago and therefore we can render this legislation redundant and wipe it off the books.

However, I warn you, Mr. Speaker, as we all know, sometimes the victim we are attacking develops a resistance to these advances of medical technology and they are able to defeat it; so I have a suggestion particularly for the consideration of the parliamentary assistant. If the warble fly ever appears once again, there is an alternative, and I think it's a more interesting and more fascinating alternative. For honourable members who have ever been down in the Caribbean area, one of the most intriguing sights they see is an animal out in the field with a bird on its back. As the animal goes ahead eating, the bird sits there and walks around on the animal. The first time you see it, you wonder what is going on. In fact, it is a bird, the name of which I do not happen to know.

**Mr. Riddell:** We have it here; we call it the cowbird.

**Mr. MacDonald:** It sits on the animal and it digs the warble fly grub out from the hole in the hide. Rather than legislation, for a government that intervenes in everything—

**Mr. J. A. Taylor:** A woodpecker.

**Mr. MacDonald:** Woodpecker, right. If the warble fly becomes resistant to this technology and comes back on the scene, I suggest that we import, if it is necessary, the cowbirds so there will be enough of them to get a free ride on the backs of the cows and dig out the grubs and keep that natural cycle going.

I support the legislation.

**Mr. O'Neil:** Mr. Speaker, I appreciate the support of the members, but I would just caution the member for York South that at one time we had a real corn bore problem in this province; we imported starlings to cope with that, but they became a regular nuisance. So we have to be careful when we bring in these birds. Once again, thanks very much.

Motion agreed to.

Ordered for third reading.

House in committee of the whole.



## GAME AND FISH AMENDMENT ACT (continued)

Resuming the adjourned consideration of Bill 59, An Act to amend the Game and Fish Act.

Section 4 agreed to.

Sections 5 to 8, inclusive, agreed to.

On section 9:

Mr. Chairman: Mr. Wildman moves that the bill be amended by adding thereto the following section:

"9a. Section 35 of the said act is amended by adding thereto the following subsection 2: 'Subsection 1 does not apply to an Indian as defined in the Indian Act of Canada who hunts or traps or attempts to trap animals or birds on lands subject to a treaty.'"

4:40 p.m.

Mr. Wildman: Mr. Chairman, the purpose of this amendment is to recognize the rights of treaty Indians on treaty lands to hunt, fish and trap without hindrance under the Game and Fish Act. The minister in his statement today attempted to allay the confusion that he identified. I regret very much that he is not here this afternoon to add to that statement because, from my point of view, the statement made by the minister added more confusion rather than resolving it.

In his statement the minister said that his ministry recognizes the right of treaty Indians to hunt and fish on lands that are not part of the reserve but are part of the area that was surrendered under the treaty. In doing this, the minister clarified his comments in the House on Tuesday in referring to the comments of his parliamentary assistant at second reading.

On Tuesday the minister stated that the ministry recognizes the right to hunt and fish on reserve lands, and has done since Confederation, but he did not deal with the question of unoccupied surrendered lands in the treaty area. His statement today does deal with that, and I welcome it. However, I note the minister in his statement does not deal directly with the question of trapping. He states that, since the matter of trapping is before the divisional court, he does not want to deal with that, but ignores the fact that the reason it is before the division court—and I can be corrected if I am wrong—is that the ministry itself has appealed the district court decision.

I do not want to go into the case of Simeon Cheechoo in detail, because it is be-

fore the court, but it appears to me that the reason it is still before the court is that the ministry does not want to recognize the right that was accepted by the judge that a treaty Indian has the right to trap on treaty lands without a licence. I think it was a rather fatuous statement by the minister today that he did not want to deal with that because it was before the court when, in fact, it is before the court because of his ministry.

I welcome the position taken by the minister that he is interested in negotiating with the treaty organizations an accommodation and a recognition of the Indian hunting and fishing rights under the treaties. However, I think it is unbelievably twisted logic to say that because the ministry is willing to negotiate it does not want to have amendments to the act, as that would be seen as acting unilaterally, when the passage of the act in the first place was a unilateral action by this government in abrogating the treaty rights that the treaty Indians already had. The ministry can unilaterally abrogate rights, but it does not want unilaterally to recognize rights. That is a rather interesting position to be taking. The treaties, as you probably are aware, Mr. Chairman, differ from one another, but generally they recognize the right of the treaty Indians who are surrendering lands to continue to hunt, fish and trap. With the exception of treaty Nos. 1 and 2, all treaties reserve to Indians the right to hunt, fish and trap or some combination thereof.

In treaty No. 3, it says that Indians will be free as in the past for their hunting and rice harvest. They will be able to continue to hunt, fish and trap "as long as the sun shines and the water runs"—which is to say, forever.

Treaty No. 9 says that Indians "shall have the right to pursue their usual vocations of hunting, trapping and fishing throughout the tracts surrendered."

Section 35 of the Game and Fish Act states: "Except under the authority of a licence, no person shall hunt or trap or attempt to trap animals or birds."

That section of the act is inconsistent with the treaty obligations imposed upon the crown by the treaties. It is, in itself, a unilateral action on the part of this government. That is why I am proposing this amendment. I want to make clear that in this amendment we are not giving treaty Indians any new privileges. If we pass this amendment, we are simply recognizing rights under the treaties explicitly.

The minister has already said in his statement that, in policy, the ministry recognizes the right. If the minister and the ministry recognize it in policy, then I think they should be prepared to recognize it in legislation.

In the past, members of the government have made statements about this issue which would seem to support the passage of the amendment. For instance, on May 10, 1979, the Minister of Natural Resources (Mr. Auld) stated: "The hunting and fishing rights granted by treaties commonly known as treaties Nos. 3, 5, 9, and Robinson-Huron and Robinson-Superior treaties supersede certain sections of the Game and Fish Act."

Interestingly enough, individuals are still being charged under section 35 for trapping and the minister has a case before the courts. Also, the minister who is now responsible for native affairs in the government, the Minister of Northern Affairs (Mr. Bernier), when he was Minister of Natural Resources, stated on June 28, 1970: "So far as we are concerned, any Indian carrying on hunting and fishing as an avocation for his own subsistence on game and fish is exempt, by the treaty, from any requirement of an Ontario licence."

What is being proposed in the amendment is simply a legislative recognition of the statements made by these two ministers of the crown.

4:50 p.m.

The case that I referred to of Simeon Cheechoo, a treaty No. 9 Indian, was decided by Judge R. E. Maranger in Timmins in a judgement rendered on August 27, 1980, where he overturned a previous conviction under the Game and Fish Act for trapping without a licence. In that judgement, the judge stated: "As a treaty nine Indian, Simeon Cheechoo is of course entitled to any and all defences that treaty nine provides; it is further agreed that the lands upon which the accused was trapping were parts of the lands ceded to the Dominion of Canada under treaty nine."

Later, the judge stated he would have to decide whether the province can, by legislation, diminish, regulate, interfere or abridge the right to reserve unto the Indians in that portion of the treaty quoted above. He is quoting from the treaty where it states, "The right to pursue the usual vocations of hunting, trapping and fishing throughout the tracts surrendered is recognized."

The judge went on to say that, in his view, any rights the province would have to so legislate would either stem from section 88 of the Indian Act or from the treaty itself, or by specific agreement with the Dominion of Canada whereby this right would be delegated to the province. There is such an agreement in Manitoba and Saskatchewan, but the judge found there was none in Ontario. He stated that under section 88 of the Indian Act the province is required to live by the terms of any treaty. As a result, the judge decided it was quite clear that treaty rights as set out in section 88 can only be abridged, diminished or derogated from by federal legislation.

As far as I am concerned, the Game and Fish Act, as a result, is an attempt to require treaty Indians to ask for licences to trap, hunt or fish, which is a complete denial of their treaty right and it is not within the power of the province to do that. If the minister is ready to recognize that in terms of hunting and fishing, I fail to see why he will not recognize it in terms of trapping and I would like to get some justification for that from him here in this House.

If we are going to recognize in policy the treaty Indians' rights to hunt and fish, again subject in terms of fishing to the federal fisheries regulations, then let us recognize them in legislation. If we are going to recognize those rights, then why do we not recognize the right to trap as well?

In my view, and I think in the view of a number of court decisions, provincial governments have no right to force Indian people to obtain licences because of their treaties and the fact that their treaties were made with the federal government, and yet conservation officers of the provincial Ministry of Natural Resources routinely arrest and charge treaty Indians under the regulations requiring licences. In a sense that is a type of harassment, and it is certainly a failure to recognize the treaty rights. I am requesting in this amendment that we recognize that.

Basically what I am asking for is simple: The Game and Fish Act must be amended to ensure that the treaty Indians' rights are respected. I believe, since this bill is before the Legislature, we now have an opportunity to do that. We are not asking for any concessions or special treatment but simply a recognition that is due already under the treaty.

There might be some objections raised to such a proposal in terms of conservation, and that is a serious consideration. As I said



earlier in the debate at second reading, we must regulate the harvest of our wildlife, fish and game in this province, and I support that. I also said we must regulate hunters and fishermen, sportsmen, and I support that still. One might say: "That seems to be a contradiction. How can you say you must regulate in one breath and in the next say we should allow one segment of the population to hunt and fish without regulation?"

I do not think the treaty Indians and treaty organizations themselves are asking for that. What they are asking for is recognition of their right to hunt, fish and trap, to harvest the wildlife. If we do that, we will be taking a first step to rationalizing and making consistent the approach of the provincial authorities towards these rights. Having made that commitment to the recognition of Indian rights, we must deal with the difficulty of arriving at a method for establishing good wildlife management programs when the regulations involved would conflict with treaty rights.

I do not think this as complex a problem as has been suggested by some people. If we recognize that Indians in Ontario have hunting rights with which we must not interfere, this does not preclude Indian band chiefs and councils from setting conservation regulations for their band members by passing band council resolutions to ensure that hunting and fishing are carried on on a sustained-yield basis.

To achieve this end, I think it is incumbent upon the provincial authorities, instead of unilaterally imposing regulations, to enter into negotiations with band councils and treaty organizations whenever their studies indicate that the numbers of a species appear to be dwindling to a dangerous low. This should lead to an agreed regulation of harvest by band members. In other words, what I am talking about is co-management, which I think the treaty organizations support and are quite willing to enter into.

It would not be possible for the Ministry of Natural Resources to set regulations unilaterally any longer but, if regulation of a band's harvest were established by the band council resolution and that regulation were enforced by the band, perhaps then the limits on the take by band members would be even more effective than it is today.

The reason for putting this amendment before the House is to have the assembly state clearly in legislation that we recognize the hunting, fishing and trapping rights of treaty Indians. I completely reject the argu-

ment made by the minister earlier today that such a move would be seen as a unilateral attempt which would somehow interfere with the negotiations going on over this issue.

When the ministry unilaterally agrees, if we want to use that term, to what the other party in negotiations is requesting, it can only be seen as a goodwill gesture and as something that will meet with the acceptance of the other party.

**Mr. Yakabuski:** Mr. Chairman, I can only reply via the minister's statement of earlier this afternoon, in which I thought he covered the issue as well as possible under the circumstances.

The rights of the Indians have not been abrogated by the Game and Fish Act. As the minister said today, section 88 of the Indian Act specifically provides that provincial legislation is subject to treaty rights. Furthermore, Bill 59 already has had approval in principle; it has had second reading. In my opinion, and in the opinion of others, the amendment proposed by the member for Algoma (Mr. Wildman) is out of order, because we are now in clause-by-clause discussion of the bill. It already has had second reading; therefore, his amendment is out of order. It is dealing with a section that is not included in this bill.

**Mr. Bolan:** With respect to the statement made by the minister this afternoon, Mr. Chairman, I am very disappointed to see that the minister is not here to defend that statement. He certainly knew there was to be such an amendment brought forward. When something of such significance is to be dealt with by the Legislature of Ontario—and I say this with the greatest of respect to the parliamentary assistant—one would expect the minister himself to be here to face the brunt of this and to stand at the point of the sword.

5 p.m.

Nevertheless, I must look at it this way. I think we would be doing a disservice to ourselves and to the people of this province if, having thought it out, we were to conscientiously pass what I would consider to be legislation that would not be sound in terms of a conflict with another legislative body. I am concerned about this act flying in the face of the two acts referred to by the minister, the British North America Act and the Indian Act. It is my fear that we would be doing nothing more than inviting all kinds of difficulties in the future with respect to this amendment if it were passed today.

The other point I wish to comment on, and I mention this in passing, was raised by the parliamentary assistant. Of course, Mr. Chairman, it is for you to give this weight and consideration, but Bill 59 deals specifically with certain issues; in no way does it deal with section 35 of the present act. What this does is add another section completely to the bill. That was not the intention of the bill. It is not the intention of the proposed legislation. My understanding of it is that we cannot deal with something by way of amendment which adds or creates something that is not the subject matter of the bill. That is something, of course, for the Chairman to consider.

**Mr. Foulds:** Mr. Chairman, I thank my colleague the member for Algoma for ceding the floor to me.

There are a number of points I would like to make on this matter. First, if there is any redundancy or confusion between federal statute and provincial statute, it exists at the present time because of the wording of the present statute and because this government has refused to amend the present statute. That is where the conflict comes. It is only by adopting the amendment put forward by my colleague the member for Algoma that we will clear up that confusion. That is the only way that will be done in legislative terms because what has happened, both in terms of legislation and in terms of action, is that the province has intruded into an area where it has no jurisdiction.

The very case that my colleague brought up was a charge against a treaty Indian under the Game and Fish Act. If section 35 of the Game and Fish Act does not apply to treaty Indians under its policy, why has the Ontario government not only charged the person involved but also, when that charge was dismissed in court, appealed it to a higher court?

What we are hearing from the minister, from the minister's parliamentary assistant, and from the Liberal Party so far, makes little sense to me. What we have here is an attempt by my colleague the member for Algoma at concurrent legislation. It is obvious that the provincial government has the jurisdiction and the right to enter into the field of regulating game and fish but, because of regulating game and fish but, because federal statutes and treaties have pre-empted that regulation in one area as it affects native people—Indians as defined in the Indian Act—we are attempting to rectify in this legislation a long-standing jurisdictional intrusion by the provincial government.

The third point I would like to make is one that I find has not been answered. Like the previous speaker, the member for Nipissing (Mr. Bolan), I find it nothing short of scandalous—I suppose I'll use that word rather than cowardly—and very strange that the minister would make a statement in the House before question period and not be here in the Legislature this afternoon when the matter that he spoke to in his ministerial statement is up for debate in this House. I find that offensive to this Legislature. I find that a flaunting of ministerial authority.

When we are debating this bill, we have before us in this House not one minister of the crown in his place. We have one minister of the crown floating around in the background, but we do not have one minister in his place. With all due respect to my friend the parliamentary assistant, for whom I have a great deal of respect—I have learned over the nine years I have been in this House that he is a shrewd fellow in many ways—when we have a matter of this importance, a matter of fundamental rights, and do not have the minister in his place to debate or defend his position and to speak to the amendment put forward by my colleague, it is an absolute neglect of his duties to this Legislature as the minister. I feel that very strongly.

I hope the minister will get up on Thursday and make another statement to the House and will be around when we are still debating this section of this bill, whenever the next session of legislation dealing with the Game and Fish Act comes up.

In the minister's statement there is an inconsistency in that he says, as a matter of policy, he recognizes that status Indians who are parties to treaties have treaty rights remaining for hunting, fishing and trapping. He says that very clearly at the beginning of his statement. When I read that, I said to myself: "Gee, that is a big step forward. That is a public admission by the minister. Maybe we do not need the legislative guarantee that my colleague from Algoma is seeking."

Then we go over the pages and begin to see that whole syndrome of the Minister of Natural Resources is reinforced by the ministry with respect to the qualifiers. The qualifiers come thick and fast. In fact, they qualify away many of the intentions the minister says he has at the beginning of his speech. If I may say so, that is the very reason the native peoples of this province, particularly in Treaty No. 3, Treaty No. 9



and the Robinson-Superior Treaty have now taken a stand where they will reject interim, piecemeal and compromise suggestions put forward by this ministry, because they no longer trust this ministry and they know that what the minister says on page one is denied on page three. That is why we need legislative guarantee to ensure the integrity of the treaty and the federal acts that are passed where this government should not be interfering.

**Mr. Wildman:** Mr. Chairman, I have just one comment in reaction to the comments of my colleague the member for Nipissing where he says that in his view such an amendment would put this act in conflict with the federal act. I can only state that in my view it would agree with section 88 of the Indian Act. It would not be in conflict, because section 88 of the Indian Act states that the treaty provisions must be adhered to. That is what this amendment is about.

**Mr. Chairman:** Any further comments on the point of order?

**Mr. Renwick:** What point of order?

**Mr. Chairman:** The parliamentary assistant said he felt it was out of order.

5:10 p.m.

**Mr. Renwick:** If I may speak very briefly to the point of order, I agree the bill is quite clear that section 35 is not open in the bill that is before us.

Until this afternoon at shortly after 2 o'clock I would have been very concerned as to whether or not it was in order for us to propose such an amendment. The minister—who is not here now of course—made an extended statement and provided us with extended documentation this afternoon on the whole question of treaty rights and hunting, fishing and trapping law enforcement. I'm sure he well knew, and the minister's parliamentary assistant must have known, we were going to move an amendment with respect to the very question which is now before us. It is the question which is now disputed at this late hour in the afternoon by the parliamentary assistant as to whether it is in order or not.

I am not certain whether the parliamentary assistant was in the House this afternoon at shortly after 2 o'clock or whether he heard the minister's statement. The whole purpose of his statement was to deal with the proposed amendment by this caucus with respect to the rights of native peoples under the Game and Fish Act. I can't conceive that this was to be other than a persuasive docu-

ment so that we would not introduce these amendments.

In this context, it is important that I respond to some suggestions by members of the opposition that they would introduce an amendment to the Game and Fish Act that would exempt status Indian people from section 35 of that act, a section which requires all persons to have a licence to hunt game in Ontario. Nothing in this indicates that the minister did not consider it to be quite in order and quite proper that the matter be dealt with under this bill.

Let me make a second point on the point of order. The minister decided to introduce, disguised as a series of piecemeal amendments to the Game and Fish Act, certain very substantive rights. He then proceeded to tell us in the committee of the whole House that it would be out of order for us to deal with anything but the section of the bill which is before us. That does a disservice to what we are attempting here and what our obligation is as members of the opposition to deal with this bill.

My colleagues and I don't care where you deal with it, as long as you want to deal with it. But don't try to pretend that you can produce this bill before us and not deal with the fundamental question where every single clause in this bill, in the revised statutes of Ontario 1970 as amended, can be scrupulously examined. I am quite certain that many of them raise serious questions with respect to the native peoples in Ontario.

By coincidence, the members of the select committee on constitutional reform this morning received the answer to a specific question we had asked of the Ministry of Natural Resources staff when they were in front of us. We asked what the position of native peoples in Ontario was respecting fishing and game rights. The ministry has responded. All the members of the select committee on constitutional reform have before them meticulous documentation with respect to which sections do and which do not apply to the native peoples in Ontario.

There is a long list of those which the ministry, in its gracious beneficence towards the native peoples, indicates do not apply. There is an equally detailed list which is much more destructive of the native peoples' rights which they pretend to say does not affect their interests and rights.

I am simply saying that for those reasons at this point in the day, whether or not the legalistic technical argument could have been put to subvert the debate in this assembly,

that had to be dealt with the last time we debated this bill and not at this point in time when the minister has involved himself to provide us with all of this information. The minister left his parliamentary assistant—and I know he will understand the way in which I use these phrases—in this lame duck position where he can't adequately deal with it and must seek to hide behind some kind of argument that I would expect my colleague, the member for Simcoe Centre (Mr. G. Taylor) to have put to the House in order to subvert the processes of the assembly.

**Mr. Nixon:** Mr. Chairman, I know you are anxious to make a ruling on this. I must support the position taken by my colleague from Nipissing that section 35 of the original bill is not before the House and has not been opened for amendment.

The bill has been approved in principle, after some considerable debate, and frankly I would submit to you the amendment itself is out of order. I am concerned about taking that position of course, because a good many of my constituents are Indians and have been concerned about this matter for a long time. Even looking at the amendment before us, I would much prefer that an amendment of that importance would be the subject of a bill by itself, even a bill brought in under private members' circumstances so that we could talk about that to the exclusion of other matters.

The amendment as it is phrased may not in fact remedy the situation that my constituents find themselves in, since in most respects they are not considered treaty Indians and their rights are not based on treaty. I don't want to enter into the arguments but simply want to say that the rule which, as I understand it, does not open matters in an amending bill which are not in the bill itself, probably is a sensible one. I believe, Mr. Chairman, you have no alternative but to rule the amendment and those others which we have been given notice of dealing with the same matter, out of order.

**Mr. Chairman:** Are there any further comments on these points? If there is no other comment, I have allowed the members considerable leeway on discussion of this amendment because I was fully aware when it was placed that it pertained to a section which was not included in section 9 of the bill.

I looked through some of the other proposed amendments, because according to the standing orders it is suggested that members, if possible, present future amendments to the chair, and I have difficulty with some of

those because they pertain to sections in the bill.

However, after hearing the discussion on this amendment, listening very closely, I feel that because section 35 of the act is not included in section 9 of this particular bill I do have to rule it out of order.

**5:20 p.m.**

Are there any further comments on section 9?

**Mr. Swart:** Yes, Mr. Chairman, I have a change in my amendment.

**Mr. Chairman:** Mr. Swart moves that new section 29a(4) be amended by inserting clause (a) after the words, "make an order," and adding as a further clause the following:

(b) designating areas or municipalities in Ontario in which the prohibition set out in subsection 2 does apply, notwithstanding clauses (a) or (b) of subsection 3.

Subsection (4) will then read as follows: The minister may, with the approval of the Lieutenant Governor in Council, make an order,

(a) designating areas or municipalities in Ontario in which the prohibition set out in subsection 2 does not apply;

(b) designating areas or municipalities in Ontario in which the prohibition set out in subsection 2 does apply, notwithstanding clauses (a) or (b) of subsection 3.

**Mr. Swart:** Mr. Chairman, as I said before, I think you will find this amendment is in order. I have distributed copies of it rather freely in the last couple of weeks to members of this Legislature. Albeit the one you have before you is slightly changed in wording, it will have the same effect on the bill.

It is fairly clear what I and my party are attempting to do in this amendment. This section 29a is the new section and is taken almost word for word from the private member's bill which was submitted by my colleague from Etobicoke (Mr. Philip) and passed by this House. At that time, we were exceedingly anxious to get this bill passed and presented a bill which obviously had the support of all members in all parties in this House.

It has become apparent that the legislation would be improved by a further amendment. The purpose of this amendment is to give somewhat more flexibility to the minister at least in one respect. This section 29a provides that no person shall trap or attempt to trap any animals by means of a body-gripping trap or a leghold trap. Cer-



tain exemptions are given in this bill. We have had a great deal of discussion about those parts of Ontario. An amendment by my colleague from Algoma (Mr. Wildman) would have made it clear that our native people would have had trapping rights in any location. That is still clouded.

However, in addition to that, this section gives an exemption on the use of leghold and body traps to persons who hold a licence to hunt or trap fur-bearing animals and to a farmer who uses a body-gripping trap or leghold trap on his own lands in defence or preservation of his property or in circumstances that are referred to in section 58(6) of the act. In addition to that, the minister may designate other areas or municipalities where this prohibition on the use of these types of traps will not apply. This too makes eminent sense because there are municipalities in the north and elsewhere in Ontario where it is desirable to permit trapping, perhaps even indiscriminate trapping, and using the leghold or the body-gripping trap.

However, what is missing in the section of the bill, as we see it, is the right for the minister—and perhaps it could be done by some other authority—to designate areas or municipalities where even the farmer or the trapper would not be able to use the leghold or the body trap.

The intention of our amendment is that the minister would use this to designate areas around cities or, for that matter, cities themselves where a leghold or a body trap would not be used. It is certainly not the intent that there be a wide application of this, nor should there be. There are places like the city of Toronto—which, incidentally, had to get a private bill through this House to prohibit the use of the leghold trap—and other cities which are totally urban areas, where it is desirable to prohibit the use of leghold and body traps for obvious reasons. There are other areas immediately adjacent to these urban centres where it may be desirable to prohibit the use of these types of traps.

Just to indicate how serious this issue is, I have a letter here, dated September 22, 1980, from Mrs. Mary Gill who is the humane education chairman of the Welland District Humane Society. I would like to read some of this into the record. She says:

"I have compiled a list for you of leghold trap incidents involving domestic pets. These cases all occurred in the 1979-80 trapping season. The list is:

"1. A dog in the Stevensville area was shot by a farmer who found the dog in his trap. The dog lived next door to the farmer, but he would not call his neighbour to ask him to remove his pet from the trap. He shot the dog instead.

"2. Two dogs, in two separate places in Fonthill, were caught in a trap. Both dogs suffered since the traps were not checked regularly and the dogs were in the traps for more than a day. Both dogs required ongoing veterinary care over a period of several weeks. Both dogs lived but had to have toes removed from their feet due to the infection.

"3. A cat in the Doan's Ridge area of Welland was caught in a trap and brought to the shelter by the person who found it. It received veterinary care for a cut foot and was later adopted.

"4. A dog on St. David's Road in Thorold was caught in a trap. He was released almost immediately and did not suffer any physical injury.

"5. A Great Dane was caught in Effingham Road. He also lost toes, as did the other two above-mentioned dogs in the Pelham area.

"6. A dog caught his foot in a leghold trap on Bishop Road in Welland. Its leg was fractured and the leg had to be placed in a cast.

"7. A cat was caught on Beatrice Street in Welland. She was a stray and the trap caused a severely broken leg, so the Humane Society put her to sleep.

"8. A dog was caught on Kilts Road off the highway to Wellandport. He had to have \$150 worth of veterinary attention. The owner spoke to us at one of our displays at the Seaway Mall and indicated that traps are set in the woods no more than 50 feet from her property every fall. The property is owned by a farmer who allows trappers to use the woodlot for trapping.

"9. On Feeder Road in Wainfleet traps are set in the water, but because the Feeder dries up part of the time, the traps are exposed. This lady lives beside the Feeder River and had a cat caught in one of these traps. It was so badly injured it had to be put to sleep. This lady stopped to talk to us at one of our mall displays and indicated that now her next-door neighbour is also setting traps on his property. She is very concerned, since she has six children who play near this area which borders her backyard.

"10. In the Pelham area, a lady, who also stopped at a display, indicated that she has a small creek run along in the woods just behind her property. Every year traps are set in this area no more than 100 feet from her backyard.

"11. The most unusual case we had told to us at one of our mall displays was the following. A man who lives near a wooded area in Port Colborne said that last autumn a hunter caught his foot in a leghold trap which he did not know was placed on that property when he had asked for the neighbour's permission to hunt.

"These cases are only ones which were either reported to the Welland District Humane Society or told to us at one of our humane education displays. Needless to say, many cases are not reported at all."

I read that into the record to indicate clearly the kind of problem that exists with the indiscriminate use of leghold traps by either a trapper or a farmer.

I hasten to admit that this problem can never be totally solved because you have to balance one against the other—the right of people to trap and the right of farmers to trap those animals which may be doing damage to their property. But, having said that, surely there should be the right within the bill to designate certain urban areas or areas immediately adjacent to urban areas, where there could be a prohibition on trapping. I thought it could be done in other ways, but I think this is the best way.

5:30 p.m.

We can give some powers to the local municipalities to pass bylaws, but I assume what would happen in this case would be that the municipalities would determine what area, if any, they would like to have designated where the use of these types of traps would be banned. They would make representation to the minister and he would consider their request and determine the wise course on whether a ban should be applied in a particular area or not.

This amendment still would not prohibit the trapping of animals which may be doing damage to the farmers' property. They could still use the box trap. I am sure many in this House are aware that this is what is done in the city of Toronto. The humane society here provides them at a nominal rent; I believe it is \$5 a week for a box trap. They catch the predators they want to catch with these, but they don't inflict any suffering upon the animals caught in that trap, as do the leghold traps.

Incidentally, I don't know what the interpretation of the word "farmer" is in this act. I would be glad to hear the definition from the parliamentary assistant. Certainly it doesn't indicate in the definition what a farmer is, but it is generally considered a

person who has perhaps two acres of land or five acres of land. He is probably considered a farmer if he has a certain amount of agricultural production. Without any definition, it is very difficult. It permits traps to be set on small holdings which are even in the centre of urban areas and causes this kind of suffering to the animals.

I picked out of the St. Catharines Standard just the other day a picture taken in Vancouver, where they are apparently having the same problem. It shows a woman with her cat and the trap which had been set next door to her, right in the urban area.

The parliamentary assistant made some reference, when he spoke on second reading of this bill, to section 33 which has a subsection 6(30) which gives the minister the power to "regulate, restrict or prohibit the possession or use of traps." He said that could look after this situation.

After some discussion with some of the interested groups and those who had discussed this with officials of the Ministry of Natural Resources, I can say that is not the intent of that section at all. It is to change the snare section. It does not say anything about certain areas or municipalities or anything of that nature. The real intent of that was to provide that if new types of traps came along they would be able to regulate them. It would also give the minister the power to prohibit certain people from having possession of traps where they are shown to have repeatedly broken the laws.

It is in this section where any exemption should be given. It is in the section now where the exemption is given. It deals with the municipalities, it deals with areas and if we want to provide authority, as I say we should, for the minister to designate certain municipalities or certain areas where leghold and bodytraps should not be set, then this is the section to do it. We should not leave it to another section which is very vague and where the intention is not there, and where a municipality would not see written into it the right to make that request or grant the power to the minister. I discussed this with a lawyer and he agrees with me that clause 30 of subsection 5 is a very ineffective clause to be used in that manner. That is not its intent.

I wish to conclude by saying that I think there is a real problem that this bill ought to address. That is the problem of leghold traps or body traps being set in populated areas. It seems to me that somebody should have the power to make the exclusion. Be-



cause of the population, because of the danger which exists to pets, because of the danger which exists to children—let's make no mistake about it, that danger does exist—the minister or someone, preferably the minister, should be able to say in that particular area box traps or some other types of traps must be used to minimize the danger to pets, to animals and to children in the area.

I hope the parliamentary assistant will be willing to accept this. It is very seldom that the opposition parties want to give additional power to the minister. I would think he would be flattered by our suggesting this. But more than that, I would think he would recognize the wisdom of this amendment and support it when it comes to the vote.

**Mr. Bolan:** Mr. Chairman, I realize what the proposed amendment does. Basically it makes it more and more impossible to use leghold traps. There already is an exemption right now under subclause 29a(2) which says: "No person shall trap or attempt to trap any animal by means of a body-gripping trap or leghold trap." It is my view and the view of my party that this goes far enough with respect to the use of leghold traps. As such, we will not support the amendment.

**Mr. Riddell:** Mr. Chairman, unfortunately I have not been able to listen to all the debate on this act to amend the Game and Fish Act, but I feel the farmers' concern about this amendment should be expressed. I hoped some of the farm members of the Legislature would express the farmers' concern. I can speak from personal experience. Believe me, I am also expressing the concern of many farmers in my area.

There is a creek called the Black Creek, which runs through the Hay swamp, which is an outlet for all the tile drainage on the good farm land in the part of southwestern Ontario where I farm. There are beaver in the swamp. How they got there is a question. I have been told that some time ago the Ministry of Natural Resources got the beaver started in the Hay swamp, for whatever reasons. Now the beaver are there, damming up the Black Creek while one watches them work. I paid out a substantial amount of money about two or three weeks ago to have that Black Creek cleaned out so it could continue to provide the outlet for the tile drainage. But I am told the beaver are putting the dams back in as fast as they are cleaned out.

The municipality said they would welcome anyone to remove the beaver by whatever method in order to have the Black Creek continue one of its primary functions in that area, that is to provide the outlet for the tile drainage on that rich agricultural land. So I would hope that if it requires a leghold trap or a bodyhold trap to get rid of these beaver, the farmers would be allowed to use them.

5:40 p.m.

Better still, if Ministry of Natural Resources people put the beaver there, then I would think they should come and try to trap the beaver in whatever way they want to trap them—if they can catch them alive, all the better—then fly them back up into northern Ontario. I do not suppose northern Ontario would mind having more beaver up in the area, but we certainly do not want them down in our area where they are doing untold damage by damming up the municipal outlets for all this tile drainage water.

I feel it is very important that I express the farmers' concerns and some special consideration be given to the farmers so they can trap the beaver which are damming up the water and not allowing the tile drains to function properly.

**Mr. Wildman:** Mr. Chairman, in answer to the previous speaker, in rural areas in northern Ontario we have exactly the same problem he is talking about, beaver that are nuisances and cause a great deal of damage to agricultural land and so on. I see nothing in the amendment proposed by my colleague from Welland-Thorold (Mr. Swart) that would prevent a farmer from having that kind of nuisance beaver trapped out.

Surely, under the proposed amendment, the minister would not designate a rural municipality. That is not the purpose of the amendment at all. The purpose is to deal with urban areas. I really do not see the connection to the amendment for the arguments made by my colleague from Huron-Middlesex.

**The Deputy Chairman:** Does any other member wish to speak to the proposed amendment? If not, the parliamentary assistant.

**Mr. Yakubuski:** Mr. Chairman, first, for the benefit of the member for Welland-Thorold, a farmer is defined in the present act under section 1(6). If I may quote:

"A farmer means a person whose chief occupation is farming; and, one, who is living upon and tilling his own land, or land to the

possession of which he is for the time being entitled; or, two, who is a bona fide settler engaged in clearing land for the purpose of bringing it into a state of cultivation." So the act does define farmer.

We cannot agree entirely, although we understand the member's concern, especially in the urban and urban fringe areas, but the purpose of section 29a is to prohibit with certain exceptions the use of body-gripping and leghold traps, and is the amendment to the act introduced by the member for Etobicoke (Mr. Philip).

I think the member for Welland-Thorold said, "We want to contribute something." I think they have contributed a lot by what is commonly known now as the Philip bill, which is largely recognized as a very humane piece of legislation. But the member for Welland-Thorold would further amend this section by having the minister make exceptions to the exceptions noted under subsection 3.

He tells the House that his advice from the legal people is that what is proposed in the bill is not the best. Of course, that is a matter of opinion. But our solicitors, who have been dealing with these kinds of matters almost on an hourly and daily basis, tell us it is not a bad law but it is certainly complex and tortuous and would likely be poorly understood.

We also believe it is unnecessary because, as the member himself mentioned, the Lieutenant Governor in Council may make regulations regulating, restricting and prohibiting the possession or use of any trap. I believe that is under section 33, subsection 5 of the act, so really his amendment is unnecessary. This certainly covers the amendment proposed by the member for Welland-Thorold fairly well, but in addition to that, section 93 of the act—as a matter of fact the very last section—provides that any regulation may be limited territorially. Section 2 would take care of any concerns he has with regard to section 29a.

Mr. Swart: Mr. Chairman, could I ask the parliamentary assistant if he would state categorically that it is the government's view that subsection 5(30) does, in fact, give the minister the power to prohibit the use of leghold or body traps in specific areas of this province—of course I am particularly concerned with the areas around urban centres—and that will give him power to exercise that authority? I would like a straight statement from the parliamentary assistant on that.

Mr. Yakabuski: Mr. Chairman, the member for Welland-Thorold wants it straight from the shoulder and I had to sidestep a body check first to get at it.

Of course it would not be the minister but the Lieutenant Governor in Council who would have the authority. In my opinion, between the two sections—section 33(5), "regulating, restricting or prohibiting the possession or use of traps" and the very last section of the present act, "any regulation may be limited territorially"—the Lieutenant Governor in Council has the power to regulate in the manner that would satisfy the concerns of the member for Welland-Thorold.

Mr. Foulds: Mr. Chairman, I want to switch to a different topic under section 9 of the bill, because we are still on section 9.

Mr. Deputy Chairman: It deals with section 9 but does not deal with this proposed amendment?

Mr. Foulds: No.

Mr. Deputy Chairman: Let us put this proposed amendment, unless there is somebody else who wishes to have some discussion on this amendment. All those in favour of Mr. Swart's amendment to the new section 29a(4) will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

Motion negatived.

Mr. Foulds: When we get to the vote on section 9 of the bill, if I could have your attention, I would like to put a proposal to you and to the House, Mr. Chairman, that we divide section 9 of the bill because it is a very peculiarly drawn section. This one section of the bill amends two different sections of the original act.

5:50 p.m.

Three subsections are added to section 24 of the original act. The section after the series of five tiny dots in the middle of the page amends section 29 of the original act. I would like a division so as to split the vote on the amendments to section 24 of the act from the amendments to section 29 of the act. I find that most peculiar draftsmanship on the part of the ministry in bringing forward this bill. I would like our privileges protected so that we can vote on two clearly entirely different matters.

I would like to speak to the matters contained in the first three subsections that amend section 24 of the act. Frankly, I want some clarification of those three subsections that now define "chase" and introduce the



use of the words "licence to chase raccoon at night" and "chase fox, coyote and wolf."

I was under the mistaken impression that the barbaric habit of fox chases was not common in Ontario and not legal, but obviously it is. I am told there are even certain members of the Legislature who dress up in breeches, boots and red jackets and are members of the London Hunt Club. I understand there are some members of the Legislature who are members of the Eglington Hunt Club. This has all come to my attention since the introduction of this bill and the sections of the bill.

What I would really like is a clear statement from the parliamentary assistant about the purpose of this amendment to section 24 of the act because when one reads the original section 24 of the act it has to do only with hunting raccoon at night, if I am not mistaken. These amendments may be out of order. It seems to me to be very strange that you would amend a section of the bill that has to do only with hunting raccoon, to broaden and include chasing of fox, wolf and coyote. First of all I would like you to rule, Mr. Chairman, on whether or not these sections as presented by the ministry are in order. It is my conviction they are out of order.

If the amendment put forward by my colleague the member for Algoma, dealing with section 35, is out of order and has been ruled out of order by this chair, I believe these subsections, which have nothing to do with the section of the original act, are also out of order and the minister needs to introduce a new section to the bill.

**Mr. Yakabuski:** Mr. Chairman, I would like to point out to the member for Port Arthur that these are really not amendments, but additions to the sections in question.

**Mr. Kerrio:** Are your riding with the hounds or going to the dogs?

**Mr. Yakabuski:** Riding to the hounds, I hope.

**Mr. Foulds:** I want to know why you add to section 24 of the original act, which has to do only with hunting raccoon, a new section which has to do with fox chases or wolf chases. Why is there not a new section entirely because it deals entirely with a new matter?

**Mr. Yakabuski:** Mr. Chairman, at the outset when we talked about Bill 59 we talked about bringing the act up to meet present-day needs, desires, et cetera. I think this is

what we are trying to do. The present act does not distinguish chasing from consumptive hunting, for instance. As a result, following game is unlawful outside of the closed season. With recent increases in fur prices, seasons have become more restricted for some species, so that the species may be conserved and the quality of fur may be assured by restricting the taking of such species for those periods of the year in which the fur is in prime condition.

Unfortunately, traditions in hunting, or at least chasing these same species have been developed at other times of the year, at times outside of those periods in which fur is prime. This type of hunting, particularly for raccoon for which a closed season has recently been imposed, has been terminated. It is the contention of wildlife managers that chasing seasons might be established for the species mentioned for the following reasons:

1. For each species there exists a period of time which now or in future may be the only time in which a person may be allowed to actually appropriate it by hunting with firearms or traps.
2. Outside of the period I have just mentioned, there is a time when the pelt is not prime but also when the animal is relatively unimportant to or actually removed from its young. At this time the animal could be tracked, followed or chased as long as the animal was not killed or removed from its normal habitat. Thus a chasing season could be provided upon these conditions when the demand is present.

Some members of the opposite side of the House have stated the demand, particularly in southwestern and southeastern rural ridings, is considerable. The tradition of chasing is well established, particularly for foxes and raccoons during the late summer months. While animals being chased may occasionally be killed, and I say occasionally, I am told this is not only rare but generally undesirable.

Few owners of valuable dogs want them actually to come in contact with a fox or raccoon. To allow this to happen would mean that the dog, vaccinated or not, would have to be quarantined. Of course the animal being chased also does its best to avoid contact.

**Mr. Wildman:** Is that right?

**Mr. Yakabuski:** Absolutely. You want to hear that one again? I do too. Of course the animal being chased does its best to avoid contact also and this behaviour has provided many tales of almost unbelievable skills exhibited by the prey. You have to get out there and see this happen, some of you urban dwellers.

There are few rural localities in which this activity takes place that do not possess a famous fox, raccoon or coyote that has often exhibited outstanding skills at tantalizing its pursuers then disappearing like a ghost. One famous coyote in eastern Ontario, and of course, there are a lot of them out there, you people would say, but one coyote in eastern Ontario invariably led the hounds a merry chase then vanished. It was said that one astute observer finally discovered that the animal had learned to walk along the railway rails, thus avoiding the hounds picking up the scent and baffling the hounds that were following. That's the kind of coyote we raise in eastern Ontario. They are astute and sharp.

In any event, those who have developed this particular type of hunting tradition have vowed that such results of the hunt constitute a rule rather than the exception. The section provides an opportunity for regular chasing seasons to be established, thus providing for this rich rural tradition.

In conclusion, I would like to assure the members that we are talking here about a controlled activity. This does not provide for 20 or 30 dogs, like the member for Algoma mentioned, chasing bears through schoolyards or the killing of deer by dogs outside the open season. Those who follow the sport of chasing know they are under a magnifying glass and that the government will quickly curtail such activities if abuses occur.

**6 p.m.**

I would beg those members opposite who would remove this section for what they feel are humane reasons, to contact some of the hunting organizations in question and consider their proposals. I did exactly that, long before this bill came before the House. When I did get the other side of the story,

and sometimes you have to put yourselves in the other person's shoes, I had an entirely different view of the whole sport of chasing, training, field trials, et cetera.

**Mr. Foulds:** Mr. Chairman, I believe the parliamentary assistant has just made my case for this section being out of order.

**The Deputy Chairman:** I do not find anything out of order in the section. You do not have to vote for it, and we can take the vote on the two sections separately, that is, the top part and the bottom part, but I do not see anything out of order in regard to it.

**Mr. Foulds:** Mr. Chairman, what the parliamentary assistant has just told us is that they are introducing an entirely new section to the act. If I interpret him correctly, he is saying that heretofore these traditional chasers have not been regulated. They have, in fact, been legal because the law was silent upon the matter. Is that not correct?

What he is doing with this amendment is attempting to give the ministry some power to regulate the chasers, to license them and to regulate them. I understand that argument, but if he is doing that—and I think that is a small step forward, not for mankind, but for the fox, the coyote and the wolf—it should be a new section of the act. It should not be an amendment that deals only with hunting raccoons.

**The Deputy Chairman:** I think we will worry about that later. I do not follow your argument on that point. In my opinion, they can add them wherever they wish to the bill. There may be some logic in putting them in certain places, but it is a matter of draftsmanship only, as I see it. However, you wish to continue this after supper; so, it being six of the o'clock, I do now leave the chair to return at eight.

The House recessed at 6:02 p.m.



## APPENDIX

(See page 3592)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

## OHIP ASSISTANCE

**289. Mr. Breaugh:** Would the minister specify what the present numbers of people are on each of the various forms of OHIP

assistance (premium, temporary, senior citizen, family benefits, general welfare), and what has been their percentage increase since January 1979? Will the minister table separate figures for each of these categories? (Tabled October 9, 1980.)

**Hon. Mr. Timbrell:**

	Jan. 79	Oct. 79	%	Oct. 80	Oct. 79- Oct. 80%
Full premium .....	337,549	352,562	+4.4	362,050	+2.7
Partial assistance .....	4,565	6,666	+46.0	8,174	+22.6
Temporary assistance .....	46,276	45,846	-0.9	54,322	+18.5
Senior citizens .....	1,060,027	1,114,508	+5.1	1,171,508	+5.1
Municipal welfare .....	135,213	147,203	+8.9	158,200	+7.5
Provincial welfare (including family and general welfare) .....	263,133	250,997	-4.6	246,009	-2.0

**290. Mr. Breaugh:** Can the minister indicate how long it takes to process a premium assistance form and a temporary assistance form? Will the minister specify how many applications were received in 1979, and also in 1980 to date for premium assistance and how many of those were accepted for coverage? Will the minister specify how many

applications were received in 1979, and also in 1980 to date for temporary assistance and how many were accepted for coverage? (Tabled October 9, 1980.)

**Hon. Mr. Timbrell:** Processing time for premium assistance and temporary assistance forms: (1) 75 per cent within 10 days; (2) 98 per cent within 15 days.

		1979	1980
Premium assistance applications .....	Received	237,788	261,361
(single and family contracts) .....	Accepted	234,274	257,499
Temporary assistance applications .....	Received	31,313	30,526
(single and family contracts) .....	Accepted	31,003	30,224

**291. Mr. Breaugh:** Will the minister indicate how much money has been spent on newspaper advertisement from January 1979 to December 1979 and from January 1980 to present about OHIP premium assistance and OHIP temporary assistance? (Tabled October 9, 1980.)

**Hon. Mr. Timbrell:** Money spent on newspaper advertisements about OHIP premium and temporary assistance: January to December 1979, \$352.75; January 1980 to the present, \$29,883.57.

**292. Mr. Breaugh:** Will the minister specify how many radio and television advertisements have been aired on OHIP premium and temporary assistance from January to December 1979 and what has been the cost of these advertisements? Similarly, will he do so for January 1980 to present? (Tabled October 9, 1980.)

**Hon. Mr. Timbrell:** No radio and television advertisements have been aired on

OHIP premium and temporary assistance from January 1979 to the present time.

**293. Mr. Breaugh:** Will the minister specify how many advertisements and programs on OHIP premium and temporary assistance have been aired on the Ontario educational channel (24) from January 1979 to the present? (Tabled October 9, 1980.)

**Hon. Mr. Timbrell:** No advertisements and programs on OHIP premium and temporary assistance have been aired on the Ontario educational channel from January 1979 to the present. OECA does not carry advertising.

**294. Mr. Breaugh:** Will the minister indicate how many advertisements for OHIP premium and temporary assistance have been placed on buses and subways from January 1979 to present and what has been the cost of these ads? Will the minister indicate how many advertisements for the Traveller's Guide to OHIP have been placed

on buses and subways from January 1979 to present and what has been the cost of these ads? (Tabled October 9, 1980.)

**Hon. Mr. Timbrell:** No advertisements for OHIP premium and temporary assistance have been placed on buses and subways from January 1979 to the present.

The total number of advertisements placed on buses and subways from January 1979 to the present for the Traveller's Guide to OHIP is not known. However, an advertisement has been placed on each transit vehicle. The cost for this is: January to December 1979, \$11,094.04; January 1980 to the present, \$53,127.32.

#### OHIP COVERAGE

**295. Mr. Breaugh:** Can the minister indicate the current procedure by which an individual can find out quickly if they are now covered by OHIP and the procedure by which precise periods in which their coverage is valid can be obtained? (Tabled October 9, 1980.)

**Hon. Mr. Timbrell:** All district offices (9) and all satellite offices (9) across the province, and the OHIP head office operation at Overlea Boulevard now have on-line computer terminals to provide immediate data to individuals regarding their coverage and the period for which coverage is valid.

#### INTERIM ANSWERS

On question 270 by Mr. R. F. Johnston, Hon. Miss Stephenson provided the follow-

ing interim answer: We are currently in the process of finalizing the responses received from citizens who wished to be enumerated as French-language advisory committee electors. When this process is completed, and the school boards and French-language advisory committees have been informed, I shall provide the information to the honourable member.

On question 272 by Mr. Foulds, Hon. Mr. Grossman provided the following interim answer: The information requested will require considerable time and effort, with personnel assigned from their normal duties to compile the data. The answer will be forwarded to the member as soon as it becomes available.

On question 276 by Mr. Cunningham, Hon. Mr. Grossman provided the following interim answer: The information requested will require considerable time and effort, with personnel assigned from their normal duties to compile the data. The answer will be forwarded to the member as soon as it becomes available.

On question 301 by Mr. Foulds, Hon. Mr. McCague provided the following interim answer: As there are several parts to this question, relating to the previous, current and future fiscal years, additional time will be required before a final answer can be submitted. It is estimated that the answer should be available on or about November 25th, 1980.



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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, October 21, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, OCTOBER 21, 1980

The House resumed at 8:02 p.m.

## GAME AND FISH AMENDMENT ACT (concluded)

Resuming consideration of Bill 59, An Act to amend the Game and Fish Act.

**Mr. Foulds:** In the interval, the legislative counsel was able to enlighten me, where the parliamentary assistant was not, in terms of the validity and whether or not the amendments that are before us are in order. I do not now challenge whether they are in order or out of order. I accept them as being in order.

However, as to the substance of the amendments before us, aside from the fine reading from the Ministry of Natural Resources scripture that the parliamentary assistant gave us before supper, I would like him, if he could, to indicate to the House just how widespread chases are and under what conditions the ministry proposes to license these things. Do you propose to require a licence in every case and thus prosecute when chases take place without a licence?

**Mr. Yakabuski:** It is my understanding that each chase would be dealt with individually and the minister would give authority for such a chase to take place. If there were chases taking place without that authority, they would be running afoul of the law and would be dealt with accordingly.

**Mr. Foulds:** Will the regulations for each of these types of chases be published fully in the Ontario Gazette? Is that the intention of the ministry, so we would know the regulation, and therefore, the law regarding these chases ahead of time, as this is a new departure for the ministry? Would those regulations be circulated to the members of the Legislature who do not assiduously read their Gazette?

**Mr. Yakabuski:** Yes, I understand they will be published.

**Mr. Foulds:** That goes a good way to satisfying some of the concerns I have on this section.

I must say, just in an anecdotal way, Mr. Chairman, that I have never belonged to a hunt club. I personally find the idea of chases unsavoury. However, I can understand those people who engage in the activity. I must say I have no idea what the law was in 1944 when I was nine years old and I myself engaged in a fox chase.

**Mr. Cunningham:** You were never nine.

**Mr. Bolan:** Did the fox chase you?

**Mr. Foulds:** No, no. Unlike most members of the Legislature, I have actually lived in the bush. I have actually hunted and trapped and snared and shot at fox, all before I achieved the ripe old age of 16. I have no idea what the law was in 1944 when I first consciously remember engaging in this activity.

The chase has traditionally had some unfortunate barbaric overtones to it. If I may digress for a moment philosophically, that was never more graphically depicted than in the film *Tom Jones* with the destruction of farms, fowl and livestock in the course of the chase. In those days the lord had absolute right over the tenants' property. I was glad to hear the parliamentary assistant agree that there would be none of that kind of allowance in the regulations.

If, as a society, we are going to allow such an activity, as a matter of conscience I am going to vote against the sections as an individual. I would like to make it clear that is not the position of my party, but I can understand and to some measure applaud the steps the government is now taking to have control of this activity at least so that it will be under strict supervision and therefore have to conform to the laws of the province.

**The Deputy Chairman:** Is there any other discussion in regard to section 9? I understand the committee wishes it placed in two votes, the proposal dealing with the new section 24a and the proposal dealing with the new section 29a.

Section 9 agreed to.

Sections 10 and 11 agreed to.

On section 12:

**Mr. Foulds:** I am just curious about why it is felt necessary at this time to include elk as a separate species. They have not been so included in the past. Is this because we have been able to define the species more closely, or is it because of the migratory habits of the species?

**Mr. Yakubuski:** Mr. Chairman, my understanding is the elk herd in Ontario is in need of protection and this has been inserted there to cover that.

**Mr. Foulds:** It has previously been assumed to be covered. I understand the elk herd needs protection. I gather they are relatively small herds of 25 to 50 at the most. I am curious why we felt it necessary at this time to define them specifically in the act, delineating them apart from deer or other species.

8:10 p.m.

**Mr. Yakubuski:** I understand elk are included with deer in this.

**Mr. Foulds:** That does not answer my question in that previously elk were included with the deer, but now you have defined them separately. Is that because you expect to have to make separate regulations or a separate designation of them as a herd? There must be some management reason for this, which I am curious about; that is all.

**Mr. Yakubuski:** There is a growing concern about the elk herds in the province. These are additional steps to make sure the elk herds grow rather than diminish. I am told there is a separation now in order to give them special protection.

**Mr. Foulds:** I am just curious. Have there been any cases in which elk have been shot and the person has been found not guilty, or where there has not been a prosecution because of the ambiguity of this section? Does the parliamentary assistant know if there has been any record of that?

**Mr. Yakubuski:** I understand there is no record of that.

Section 12 agreed to.

On section 13:

**The Deputy Chairman:** Mr. Wildman moves that section 13 of the bill be amended by adding thereto the following subsection:

"(3) Section 42 of the said act is amended by adding thereto the following subsection 3:

"Subsection 1 and 2 do not apply to an Indian as defined in the Indian Act who hunts black bear, polar bear, caribou, deer, elk or moose on lands subject to a treaty."

**Mr. Wildman:** Mr. Chairman, I will not go over the whole debate we had this afternoon in relation to the issue of Indian hunting and

treaty rights. However, in anticipating some of the questions that might be raised about the amendment I will say this is different from the amendment that was introduced and ruled by the chair to be out of order this afternoon in that discussion of section 42 of the act is opened by Bill 59 and, therefore, the argument that was raised on the other amendment I placed this afternoon does not apply.

Secondly, the suggestion was made by the minister in his statement at two o'clock and subsequently in the debate this afternoon that we should not be proposing in this assembly amendments that deal with Indians because the Indian Act and the British North America Act suggest that only the Parliament of Canada can pass such legislation.

In relation to that argument, I would suggest that by not specifically stating that treaty Indians are exempt from the Game and Fish Act we would be legislating for Indians because we would be legislating for all individuals living and hunting in Ontario, which would include treaty Indians. In that sense, we would be contravening the provision of the BNA Act. By specifically exempting treaty Indians, we are leaving it to the federal government to deal with the issue, which is quite right and proper since it is their responsibility under the treaties and the Indian Act to deal with the rights and privileges of treaty Indians in Canada.

The statement has also been made that this might be redundant since the provincial ministry already recognizes treaty hunting and fishing rights and takes a lenient attitude and does not charge treaty Indians who are hunting without a licence in their own treaty area.

In fact, there have been a number of cases where this has happened. There was a case in the Spanish area in the past couple of years where three treaty Indians were charged by the conservation officer for hunting moose and bear. There was quite an issue made of the fact that they were hunting in this area.

Again, I will not reiterate the arguments made this afternoon, except to say I think it is incumbent upon us in this Legislature to recognize in legislation the policy to which the minister has committed his ministry, which is to recognize once and for all that the issue of Indian hunting and fishing rights must be resolved. It is incumbent upon the federal government to become active finally in that area and to resolve the whole matter.

**Mr. Bolan:** As indicated this afternoon, Mr. Chairman, we feel it is within the juris-



diction of the federal government to define the rights of the Indian people of this province and, as such, we feel the amendment as presented—for the same reasons which I advanced this afternoon—would be out of order.

**Mr. Warner:** We are not out of order. You guys want off the hook.

**Mr. Bolan:** Furthermore, in spite of what the Socialists to my left may say and think, the fact still remains that we are trying to do something for all of the people of Ontario. It is my position and the position of my party that the action the third party is trying to bring forward right now is something much deeper than a mere amendment to this particular act. It involves a considerable amount of discussion. The minister himself and his ministry are involved in trying to resolve many of these issues. An amendment at this time would be frivolous and inopportune. It may be opportunistic for the members of the third party; but that would be about as far as it would go. We will not be supporting the amendment.

**Mr. Foulds:** Mr. Chairman, I must say I am not convinced by the previous speaker. I think the amendment is a good one. I will read section 42 of the present act, so those members who are not familiar with the act will be. It says very clearly:

“Except under the authority of a licence and during such times and on such terms and conditions and in such parts of Ontario as are prescribed in the regulations, no person shall hunt black bear, polar bear, caribou, deer or moose.”

**Mr. Wildman:** That is legislating for Indians.

8:20 p.m.

**Mr. Foulds:** That is legislating. There is no definition in this act of “person” and in the Interpretation Act it still is not clear what “person” is. I suppose we simply go on the common definition of human being. To the best of my knowledge in this province that includes all races, colours and creeds. Therefore, this law and this section in particular applies legally to native peoples, to status Indians. There is no exemption in this act to native peoples and to status Indians. I submit the amendment put forward by my colleague from Algoma simply tidies up and clears up what could be a legislative intrusion by the provincial government in an area that is not within this jurisdiction. I fail to see why the government, why the parliamentary assistant and

why the minister, who is still not in his place, would resist this amendment.

I can understand why the Liberal Party would resist the amendment, because they simply don't know what to do with it or they don't understand it. But when the minister said very clearly in his statement, “It is our approach that status Indian people can legally hunt moose, deer and other game animals within their own treaty area, at any time of the year, without a licence and without a limit on the number of animals they take,” then I fail to see what the objection is, because that is exactly what my colleague is trying to achieve—to give the legislative guarantee and the legislative strength to the minister's statement, because this minister, good fellow though he is, and his parliamentary assistant, good fellow though he is, they too shall pass away.

What we need for the native peoples of this province is a legislative commitment that is in keeping with the language in their treaties. The language in their treaties was that they should have the hunting and fishing rights as long as the rivers flowed and the sun shone, which is to say forever.

I just do not understand why this Legislature is so chicken-hearted. I do not understand why a government is afraid to give legislative sanction to a ministerial commitment. Is it because they do not intend to live up to that ministerial commitment? I would hope not. The reason I would hope not is that the minister in his statement has outlined in a very poignant way the difficulties he has had in negotiating agreements with the native communities.

Put yourself in the place of those people. Put yourself in the position of being betrayed time and time again when there was no legislative commitment. Put yourself in the place of the harassment and charges that have been laid by Ministry of Natural Resources officials under the Game and Fish Act and you will understand, I think, why we at least feel it is necessary to have the legislative commitment outlined by my colleague from Algoma.

**Mr. Charlton:** To carry this discussion just a little bit further—and perhaps for the benefit of the member for Nipissing, who is a lawyer and who should be soundly ashamed of himself—as one member of this House who has had considerable experience with provincial statutes that contradict and contravene federal statutes, although I am not a lawyer, I want to say to the member for Nipissing and to the government, it is not a frivolous action on the part of this

Legislature to deal correctly and specifically with the laws we pass and their relationship with the other laws that govern this province and this country.

For the member for Nipissing to suggest we should pass a law so general in its nature and so all-encompassing in its nature that it will offend both the BNA Act and the treaties legislation as well as a number of the treaties that exist in this province, is frivolous.

We have a number of general statutes in Ontario which have done precisely that in the past, which has caused average citizens of this province no end of heartache, frustration and dollars in trying to establish in the courts which of the particular statutes has precedence. We do not, or we should not, want to put any more citizens of this province in that situation, whether they be status Indians or whether they be steelworkers or whatever else. The challenge in the court will not come if whatever statute we pass here respects the BNA Act and respects the federal statutes that govern Indians in this country.

My colleague from Port Arthur made it very clear when he read the wording that from the way the bill is at present worded it covers everybody in this province, including status Indians. That is offensive to the BNA Act, the treaties legislation, the Indian Act and the treaties that exist in this province already. It is not our responsibility in this Legislature to offend existing statutes and to offend existing rights in this province. That is what we will be doing by passing the legislation as it stands at present.

**Mr. Yakabuski:** Mr. Chairman, I would say probably over and over again that under section 88 of the Indian Act all provincial laws are subject to the rights of Indians under treaties and, therefore, we haven't got the power to deal with it. Furthermore, section 91 of the BNA Act provides that only the Parliament of Canada may legislate in so far as Indian matters are concerned.

**Mr. Bolan:** They can't read over there.

**Mr. Wildman:** Just to respond, Mr. Chairman, as a northern member I deeply resent the comment made by the member for Nipissing that this party was being opportunistic in introducing this amendment.

As he should very well know, and as I am sure all members in this Legislature are aware, treaty Indians are a very small minority in this province. For a northern member to suggest that an amendment that is introduced to protect their rights is opportunistic, I think is completely offensive.

It is offensive to suggest that there is any kind of opportunistic approach here. If one were being opportunistic, one would say, "Let's deal with the majority and forget about the minority." One would just go ahead, pass this bill and completely ignore the fact that this bill and the former act unilaterally abrogate the rights under the treaty.

There may be an argument that under the BNA Act this proposed amendment may be ultra vires. It may be, but I would suggest with respect that it is not within the competence of this assembly to decide that. To argue that because of that possibility, which has not yet been tested, this amendment is out of order is ridiculous.

The other suggestion that was made by the parliamentary assistant, that under section 88 of the Indian Act all provincial laws are subject to the terms of any treaty, is quite right. I would like to know what conflict there is between the amendment I proposed and that provision of the Indian Act. As far as I am concerned, this amendment to section 13 of the bill is quite literally in agreement with section 88 of the federal act.

8:30 p.m.

**Mr. Bolan:** That was done by the federal government. Can't you understand that?

**Mr. Wildman:** I am quite aware the Indian Act is a federal piece of legislation. It says that all laws must be subject to the terms of any treaty.

**Mr. Charlton:** This doesn't contradict the federal act.

**Mr. Wildman:** What I am suggesting is that we make this law explicitly in agreement with section 88 of the Indian Act. If we do not explicitly protect the rights of treaty Indians, then we are implicitly denying those rights. In passing a piece of legislation that requires every individual in this province who is hunting to obtain a licence, I am no great authority but I would think every individual includes a treaty Indian or a member of another race. In my view, that kind of legislation would be in conflict with section 88 of the Indian Act.

**Mr. Yakabuski:** Mr. Chairman, the member for Algoma is quite right but we cannot get by subsection 91(24) of the BNA Act which states that only Parliament may legislate. That stops us dead in our tracks. There is no way around it.

**Mr. Foulds:** Does the parliamentary assistant intend to withdraw the bill?

**Mr. W. Newman:** No.



**Mr. Foulds:** How do you answer the question about the wording in section 42 where it says, "No person shall hunt black bear, polar bear, caribou, deer or moose"? How do you justify that inclusion in contradiction to the section of the BNA Act just cited?

**The Deputy Chairman:** Any further discussion? The chair has a bit of a problem in that I am not clear whether the Game and Fish Act applies to Indians or not. I gather in the past the government has issued permits to Indians to do certain of the things dealt with in this act. In the present case, I would think perhaps the act may apply to them. As I see it, the most we could be doing if we vote on this section and the section passes would be to put in something that is redundant or ultra vires.

It seems to me it is not up to the chair to make rulings as to whether this is or is not ultra vires. Apart from the BNA Act and the Indian Act, it would be all right, and it seems to me it is not up to the chair to make that kind of a legal decision. I am going to state the motion is in order and, of course, the committee can do what it wishes with it as far as the vote on it is concerned, or it can challenge my ruling that it is in order.

All those in favour of Mr. Wildman's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 13 agreed to.

Sections 14 and 15 agreed to.

On section 16:

**Mr. Bolan:** Mr. Chairman, some concerns have been expressed to us with respect to the provisions of section 16. What section 16 does is add to the existing section 47 of the act.

Section 47 of the act reads, "Except under the authority of a licence and subject to the regulations, no person shall sell, offer for sale, purchase or barter or be concerned in the sale, purchase or barter of a game animal or possess a game animal for sale."

What section 16 does is add subsection 2 to section 47 to provide that, "Except under the authority of a licence and subject to the regulations, no person shall propagate a game animal or possess a game animal for propagation."

As I indicated earlier, some concerns have been raised by some people with

respect to this whole question of the propagation of a game animal, and in particular the regulations that would affect the keeping of such an animal. For example, what provisions would there be for inspection of the place where the animal would be kept? What provisions would be made for health factors, for the safety of people in surrounding buildings or in surrounding areas where such an animal would be kept?

In view of the fact that the proposed legislation does refer to the regulations, I would like to know if there are regulations now which cover the keeping of such animals, and if there are no regulations, what was in effect with respect to section 47(1) where again it talks about no person being able to keep animals or game animals for sale, except with a licence and subject to regulations?

Were the regulations in effect with respect to the old section 47, and if so, are they the same regulations that are in effect with respect to the new section 16 of the bill, which would be section 47(2) of the act?

I would like to have some answers to these questions, if I may.

**Mr. Yakabuski:** Mr. Chairman, the new subsection prohibits the propagation of a game animal, except under the authority of a licence and subject to the regulations. The present Game and Fish Act states that a person is required to have a licence for the propagation of game birds only.

The new subsection to section 47 of the act is to extend this requirement to game animals, and will enable controls to be exercised on private zoos, potential game farms, pet stores or individuals who may have interests in propagating game birds or game animals for any purpose that is not in the interests of the species or wildlife management in general. The reason for adding the new subsection was to cover game animals.

To answer the member for Nipissing who raised some questions regarding, I believe it was, the Essex County Humane Society, the ministry recently went to the public and wanted to know the views of people on keeping wildlife in captivity. The ministry is bombarded on a continuing basis with requests for placing Ontario wildlife in zoos and taking wildlife as pets. We want to determine, on a broad basis, what the public wants in this regard. A recent news release asked that the public write in its views.

8:40 p.m.

The Essex County Humane Society, which has been referred to, has equated this initiative with some part of this bill. That is really so. In fact, the bill does not relate to this aspect. The clause under which the authority might be granted is contained in section 79 of the present act—not any section of this bill at all.

We have extended a sincere thank you to the manager of the society for bringing his observations to our attention on the basic issues, but our assurance that the exercise has nothing to do with this bill has been accepted by the Essex County Humane Society.

**Mr. Foulds:** I have three points I would like to make. The parliamentary assistant was quite right in pointing out section 79 of the present act, which is not amended by this bill, as the appropriate section that deals with zoos and the keeping of animals. However, he introduces the topic in this section to a certain extent and I think that is something to which the ministry is going to have to give serious consideration. Some municipal zoos that have been licensed have not been all they should have been.

Members may find this strange coming from a member of the Socialist hordes, but I have seen one or two private zoos and game parks that were absolutely super. They were very well run by people who knew animals and were concerned about them. The animals had a natural habitat with lots of space. I would not want to discourage that. But I think what we need to seek in this section is some commitment that we have the regulations public before this section of the bill is given royal assent or proclaimed so that we know exactly what it is that is being proclaimed at the time of proclamation. I do not know if that is possible but it is certainly a request I would like to make because I would assume the ministry, with its expertise, has the regulations almost ready.

There may be a technical difficulty in this section about proving whether or not the person is instigating the game animal to engage in the activity that results in propagation. There is a lot of animal instinct going on there. From time to time during the appropriate season it is going to be hard for anybody, even with the best of intentions, to curtail it. I think there will be some difficulty in the observance and enforcement of this section, well-intentioned though it may be.

**Mr. B. Newman:** Mr. Chairman, I want to speak to this section also. Apparently the

minister has not received the follow-up communication from the Essex County Humane Society. He simply makes mention of the letter of October 2, 1980, to the minister. I would like to read the letter and then the follow-up letter, which indicates that section 16, as it is written here, makes no mention whatsoever of household pets and wild animals that are kept as household pets.

The letter dated October 2, 1980, to the Minister of Natural Resources (Mr. Auld) from Mr. Michael O'Sullivan, general manager of the Essex County Humane Society, reads as follows:

"Dear Sir: I have read a letter of reply from Mr. J. D. Rosborough dated September 16, 1980, as it concerns regulations and licensing under Bill 59. In answer to his statement concerning the fact that definitions of wildlife under the Fish and Game Act are 'legal and not biological', as you are undertaking a massive overhaul of the Fish and Game Act via Bill 59, perhaps some consideration should be given to having animals defined zoologically rather than legally.

"It would appear from comments contained within the letter and the accompanying news release dated August 25, 1980, that your concerns as they concern wildlife kept as pets are primarily aimed at seeing that wildlife populations are not harmed. Secondly, the welfare of the animal, despite your statement, has not received close consideration.

"In a licence issued to a people or group, the licences would have merit only if annual inspection of facilities, capabilities and records were conducted. The inspection prior to issuance of a permit would be vital. See the enclosed reprint from the Humane Viewpoint, volume five, number one, winter 1978, for an indication of the great diversity of wildlife that can be received and require care. Many groups have neither the time, knowledge nor facilities. A permit merely to keep wildlife would be a grave mistake.

"Propagation of game birds would presumably facilitate hunting purposes, due to such populations declining in southern Ontario townships mainly because of an environmental change or stress—evidently not a problem in Essex county, as last year your ministry halted a 35-year tradition of feeding hundreds of Canada geese that were overwintering because food was too costly and too many were staying the entire year.

"As for permitting private ownership of a wildlife pet, how will you publicize what is endangered and what is not? It is clearly likely that even now the public keeps a mixture of endangered and other species as pets.



Squirrels, raccoons, foxes and other animals are some of the wildlife commonly kept as pets, so that warnings to the public will go unheeded in any event.

"I do not believe you have any intention of warning them in any event. Recently your Chatham [office] discouraged a Windsor resident by telling him that if he played with a young raccoon when it was young it would be friendly when it grew up. The bylaw enforcement officer with the Windsor police department took a dim view of your stand and warned the owner that he would be legally liable should the animal bite anyone. I am following the case closely and should anyone be bitten by the animal, then I intend to contact their solicitors and forward this information to them and in turn they can decide your liability for such advice.

"To be aware of the problem of ownership of wildlife as pets, merely contact the Metro zoo to see how many maladjusted pets are offered as zoo specimens. By encouraging keeping native wildlife as pets, you further encourage by your actions the importation of exotic pets into the country. As for other zoos, perhaps breeding native stock presently in zoos would be more beneficial than capturing more animals. This would stimulate inter-zoo trades of animals. I would issue permits only to accredited zoos and research institutions, and not to roadside affairs or circuses.

"You must be aware that at a local level, wildlife kept as pets is a community problem. Thus section 354(1)(i)(ii) of the Municipal Act permits local councils to pass bylaws prohibiting the number and class of any type of animal per dwelling unit (in this case 'animals' includes mammals, birds, reptiles). Surely you are also aware that your provincial amending legislation might well override the local bylaw passed by councils of municipalities. I am rather certain that this will in no way meet with favour of the local level of government.

8:50 p.m.

"A question arises in my mind as to whether or not people and small zoos are not presently holding wildlife illegally, and it is easier to relax regulations than enforce existing ones. If this indeed is the case, then your ministry is committing a grave error in judgement.

"In light of this information I must ask that you send me the proposed details of your trapper education program before I commit my support to that effort."

Then he says:

"I withdraw in its entirety my letter of support for Bill 59 dated July 21, 1980. If you have mentioned this letter as being supportive to Bill 59 either in private or in the Legislature, then I insist that you withdraw the letter formally wherever it is presented.

"I will, of course, be forwarding my concern to the local MPs, municipal governments and other humane societies.

"Awaiting your reply."

Apparently the minister must have replied because on October 17, in a fairly short letter, the Essex County Humane Society writes once again to the ministry. The letter is dated October 17, 1980:

"Dear Sir: The enclosed letters represent correspondence between our office and that of the Honourable James Auld, Minister of Natural Resources. They arise from our concern for proposed regulations that would be enacted if portions of the Fish and Game Act are amended, (that is, Bill 59 presently undergoing reading).

"I believe that this correspondence adequately outlines from a factual standpoint our opposition to the minister's proposals (which have been stated in the press) that the Ministry of Natural Resources relax regulations to permit members of the public and organizations to own wildlife as household pets.

"In addition to the points covered in the letter, there is also the fact that at the federal level Canada is a signatory to an international convention on endangered species. At a federal level the government indicates concern to a degree for wildlife of other countries, and yet at a provincial level such concern for our wildlife is sorely lacking.

"To clarify the matter of public health hazards that such close contact with wildlife as household pets represents, the danger is twofold: injuries from bites or scratches in addition to zoonotic diseases.

"A legal point arises as to whether or not this provincial legislation would overrule local bylaws at a municipal level to prohibit citizens from owning wildlife. If so, the problem lands in the laps of local governments, and I sincerely doubt that they will appreciate this gesture.

"The specific sections of Bill 59 that would permit the minister to pass such legislation are sections 47(2), which we are dealing with now, as it governs propagating of a game animal; section 58(4), the sale of fur-bearing animals, and section 74, the sale of reptiles and amphibians. In a letter dated July 31, 1980, from the minister he admitted that the 'precise regulations, licences and conditions with respect to sections 58(4), 47(2)

and 74 are not written.' However, from his comments in later letters, and in public, his intentions are obvious."

This is almost the total text of the letter of October 17 indicating the concerns of the Essex County Humane Society. As we are dealing with section 16, they pertain directly to that section in one small measure of the criticism. I would like the comments of the member piloting this bill.

**Mr. Yakabuski:** I still feel the member is confusing two things. One is the feelers, if you want to call them that, that were put out with regard to this matter, and the fact he may be confusing them with the bill itself.

Section 91(1) of the act gives the Lieutenant Governor in Council authority to make regulations imposing the terms and conditions of every licence issued under the act. Accordingly, any licence could be subject to terms and conditions respecting the manner in which these animals are kept—standards such as the types of cages, whether the licence could have a male and female, a male or female, et cetera. So, under section 91(1) the Lieutenant Governor in Council has wide powers to make regulations respecting the keeping of animals.

**Mr. Bolan:** Mr. Chairman, I have a very simple question which I hope will not be confusing. What regulations govern the propagation of a game animal? Now that is fairly simple. Do you have regulations yet? If you do not have regulations for this, what regulations did you have with respect to the keeping of a game animal for sale under the existing act?

**Mr. Yakabuski:** I am told there are none.

**Mr. Foulds:** Does that mean there was sufficient definition and clarity in the clause in the bill in the legislation itself or was the section of the bill simply inoperative—never enforced in any way, shape or form?

**Mr. Yakabuski:** Under the present act no game can be kept in captivity and, therefore, there were no regulations. Regulations have not been developed to this point, but now with this section going into the act, regulations will certainly have to be developed.

**Mr. Foulds:** What I would like to know is what you did when this was first enacted. Presumably, someone somewhere in this province—since this was first enacted in the 1940s, was it not?—brought it up then. What did you do? Did you never enforce it? Were there never any charges laid? I mean, what happened?

**Mr. Yakabuski:** Keeping game animals was not really allowed—only wolves and

bears and you could only keep one of either and not a pair.

**Mr. Wildman:** What if somebody had an ocelot?

9 p.m.

**Mr. Bolan:** What criteria have to be met for a licence to be issued? You are talking about a licence and regulations. We know there are no regulations, which means, I suppose, there are no licences. Has a licence ever been issued by the Ministry of Natural Resources for one of these game animals?

**Mr. Foulds:** Mr. Chairman, on a point of order, might it be more expeditious if the parliamentary assistant could move to the minister's seat by agreement of the House and have the officials at a table in front of him so that we could more expeditiously deal with the bill? That is allowed under the new standing orders of the House.

**Mr. Chairman:** That certainly is in order according to the standing orders, if the parliamentary assistant so desires.

**Mr. Yakabuski:** Mr. Chairman, I don't think we have lost that much time because of the shuffle, so to speak.

There are no regulations. No regulations have been developed. Although that might appear a little embarrassing, it is a fact of life. With this section now in, regulations will have to be developed. I think that is what you wanted to hear. We have had it and we have to live with it. That is the way it was, and we are tidying up the act now. It is part of the purpose.

**Mr. B. Newman:** Mr. Chairman, may I ask of the member piloting this bill through, can the public have game animals as household pets?

**Mr. Yakabuski:** The answer is no.

**Mr. Bolan:** There are some municipalities that pass bylaws with respect to the restriction of animals. Does this provincial legislation supersede municipal bylaws that may be passed? I see the parliamentary assistant nodding his head. Is it to the exclusion of municipal bylaws that are passed for the control of game animals? Who issues the licence?

**Mr. Yakabuski:** This legislation would supersede municipal bylaws. The licence would be issued by the ministry.

**Mr. Foulds:** Up until this time, if I am not mistaken, a person could not undertake the activity outlined in the section of the bill before us. We are now allowing him to do so with a licence and with regulations.

I do not think it is too much of this Legislature to demand of the parliamentary



assistant that before proclamation of this particular section, which carves out uncharted waters and new territory, the regulations and the licence be printed and published, drawn up publicly and detailed to the Legislature. I think that is a fair request and a fair demand. We will then know what the terms and conditions are that are going to be operative in this section of the bill.

There could be abuses under the new section. I think the concerns of the member for Windsor-Walkerville are valid, although I think the parliamentary assistant is right in that there is some confusion between different sections of the act. It is well to get those clear and straight before we actually declare this final section law in the province.

**Mr. Yakabuski:** Mr. Chairman, I think it would be an affront to the Legislature to ask civil servants to do that without authority. First of all, we must have that added to the act; then they can develop those regulations that are so necessary. Without the act, I don't think they have the authority to develop the regulations, but with the act, they have that authority to proceed full speed.

**Mr. Bolan:** I have a question about a little article that appeared in the Toronto Star today. The headline is "Cougar Leaves Cops Catatonic," and it says:

"Two Metro policemen on foot patrol in North York were startled when they came across a man taking his pet cougar for a walk on Yonge Street this morning. They quickly radioed headquarters for instructions but were told there was nothing they could do. 'It is not illegal to have pets like that,' a police spokesman said.

"Last month police in Scarborough spent two days searching for a pet lion cub that wandered away from home. It eventually returned on its own."

Are there any regulations to cover this kind of activity?

**Mr. Yakabuski:** I am assuming that with the new Ford line out, that was a Ford dealer. The Game and Fish Act does not cover so-called exotic species, and a cougar would fall into that category.

**Mr. Foulds:** I really do not wish to prolong the discussion unduly, because like other members of the Legislature, there are other activities that many of us want to do. We want to watch the baseball game too. However, there have been cougar sightings in Ontario. I am surprised that the parliamentary assistant says it is not covered by the Game and Fish Act. Under what act of

the many under the ministry's aegis are cougars covered, or are they covered at all?

**Mr. Yakabuski:** It may be that there have been cougar sightings in this province, but that doesn't necessarily make them a native species. They could be escapees. They could come from various sources.

**Mr. Wildman:** Just as a matter of clarification, is the reason we are now prepared on some occasions to license people who wish to have game animals for propagation, the dwindling numbers of wild game in this province?

**Mr. Chairman:** Would the member for Algoma pose the question again?

**Mr. Wildman:** Is it because there are so few wild game now that you are ready to have people start breeding these animals?

**Mr. Yakabuski:** I would not say that, because I think this act is going to go a long way to manage our game and bring the herds up to good levels. This act will go a long way to achieving that. The sooner we get this act passed and the people can get into action, the sooner it will happen.

Section 16 agreed to.

Sections 17 and 18 agreed to.

On section 19:

**Mr. Foulds:** I would just like to know the reason for this section.

**Mr. Yakabuski:** The reason for section 19 is to amend section 58(4) as enacted to prohibit the sale of live fur-bearing animals or wolves, except under the authority of a licence and subject to the regulations. The proposed amendment would prohibit the sale, purchase or barter of live fur-bearing animals except with the written authority of the ministry, and limit the sale to the carcass, including the pelt, of a fur-bearing animal.  
9:10 p.m.

**Mr. Foulds:** I can read the legislation as well as the parliamentary assistant, I think, without being immodest, and I can read the explanatory notes, but I just want to know why there is this prohibition and what is the reason for the section. Why do you implement this prohibition and under what conditions do you expect to give written authority that would allow the sale or barter of a live animal in this section?

**Mr. Yakabuski:** This is to manage and control the fur-bearing animal, which is quite a resource in this province.

**Mr. Foulds:** With due respect, I don't find that a satisfactory answer because the particular prohibition is against the purchase or

barter of a live fur-bearing animal or a live wolf.

First of all, I want to know why there is a prohibition against that. I think I can guess. But given that there is that prohibition, I want to know why the ministry is now considering giving exemptions to that prohibition by written authority of the minister. Under what conditions would you allow barter and exchange of live fur-bearing animals? Are we going to have a Kensington market north in the food terminal proposed by the Minister without Portfolio?

**Mr. Yakabuski:** The present act permits the sale of live fur-bearing animals by trappers. The proposed section would place this activity under control in order to control the placement of such wild animals into fur farming operations and so on.

**Mr. Foulds:** Thank you, Mr. Chairman.

Section 19 agreed to.

Sections 20 to 24, inclusive, agreed to.

On section 25:

**Mr. Chairman:** Mr. Wildman moves that section 25 of the bill be amended by adding thereto the following subsection:

"(4) Said section 69 is amended by adding thereto the following subsection 4:

"Subsections 1 and 2 do not apply to an Indian as defined in the Indian Act who takes a smallmouth bass, a largemouth bass, muskellunge, brook trout, brown trout, rainbow trout, Aurora trout, yellow pickerel, pike, lake trout, sturgeon or sauger from Ontario waters subject to a treaty."

**Mr. Wildman:** Mr. Chairman, the reason I am putting this amendment is similar to the reasons outlined on the previous two amendments with regard to Indian hunting and fishing rights and I won't go over all that argument again. However, I do want to refer to the comments made by the minister specifically in regard to fishing rights in his statement this afternoon, when he said that at a meeting on June 18 with the treaty organization he made a proposal for the Indian food fishery in Ontario and that proposal, which entailed the provision of permits for fishing for food, was rejected by the Indian organization. The reason it was rejected was because, just as agreed on the requirement for licences, it would be an admission by the treaty Indians that they were, indeed, subject to regulation under the Game and Fish Act by the provincial authority. So would the agreement to apply for and accept permits for fishing for food. That is why they rejected it.

In the compendium of the material provided with the statement, as the minister points out, under section 69 of the act, treaty Indians are exempted in practice from the fishing regulations of the Game and Fish Act in terms of possession of fish for food, subject, of course, to the federal Fisheries Act, which the courts have found takes precedence over the treaties.

All I am attempting to do in this is to have the legislation read in such a way as to spell out clearly in legislation the policy as it now stands. Again, this would not prohibit the negotiation of co-management by the ministry of the enforcement of the regulations under the federal Fisheries Act and the preservation of the fish stocks through that kind of method.

I would hope the member for Nipissing will consider this in regard to the negotiations he is probably aware of, that have been taking place between the ministry and the treaty Indians on Lake Nipissing over the very serious drop in the fish stocks in that body of water. This might be a step towards forcing a swift move by the two levels of government to deal with the matter of co-management.

**Mr. Foulds:** While the parliamentary assistant is getting instructions, I might as well fill in the time. I would simply like to endorse the amendment put forward by my colleague from Algoma for the same reasons that have been outlined on the previous amendments he has introduced. It is obvious from the previous ruling of the chair that this amendment is in order.

I believe it gives a legislative basis for the guarantee that is needed in this area, and I believe that it can serve as a symbol of goodwill by this ministry. This ministry needs a symbol of goodwill with the peoples of Treaty No. 3 and Treaty No. 9 in particular. I believe then it can do no harm and it would provide the concurrent legislation—

**Mr. Yakabuski:** Mr. Chairman, I can only repeat my argument under section 89 of the Indian Act and section 91 of the BNA Act, which again applies.

**Mr. Chairman:** All those in favour of Mr. Wildman's amendment will say "aye."

All those opposed will say "nay."

In my opinion the nays have it.

Motion negatived.

Sections 25 and 26 agreed to.

9:20 p.m.

On section 27:

**Mr. Foulds:** I have a question that I am sure will get the same fruitful answer we



have had to questions raised on legislation in the past. I do not want to be critical in a personal way of the parliamentary assistant, but I do think when we have a bill of this nature, which amends so many different sections of an act, we in this Legislature deserve fuller and more complete answers than we have received. I have found the answers less than satisfactory. A number of members have raised legitimate questions to which we have not received satisfactory answers.

I would like to ask on this section why the ministry now feels it necessary to have authority to license amphibian and reptile hunts and under what conditions it would license such hunts.

**Mr. Bolan:** While the parliamentary assistant is trying to find an answer to that, I just want to follow up on what the member for Port Arthur said. Frankly, I think it is an insult for us to go through this clause-by-clause reading of this bill and get the cavalier answers we have received from this ministry with respect to some very substantial questions.

Are we to treat the legislation as frivolously as what it is made out to be by the parliamentary assistant and by the Minister of Natural Resources? I think his absence is indicative of his contempt for this House. This is especially so after he gave a long statement this afternoon about what he was doing to protect the rights of people and what his ministry proposed to do about getting together with people to try to resolve these problems. Wherever he is I do not know, but he should be in this House.

I think it shows a very cavalier attitude for the Minister of Natural Resources to come in here, to put forward legislation which has not had any changes since 1961—it is the first time in 20 years that this bill has come forward for any significant changes—and to throw us a bunch of rags. I suggest that things should be put into better shape if you propose and carry on with this kind of legislation.

**Mr. Yakabuski:** This section is there because it is revised to apply to any amphibian or reptile. It is because we are determined to control the harvest of a whole series of amphibians and reptiles that would be covered in this section.

For example, there is the common snapping turtle which is extensively harvested by residents and nonresidents. Studies are needed to determine impact on population, regulations are needed to establish a licence

system to control harvest—and you can go on down the list.

Let me pick out another common snake which has adapted to many habitats. Butler's garter snake is rare in Ontario owing to restricted distribution. Then there is the eastern spiny soft shell; the status report currently under review recommends it be designated a threatened species. Going further down the list, we have the timber rattlesnake—that sounds good—officially designated as endangered under the Endangered Species Act, 1971, possibly extirpated in Ontario.

That is the reason for section 27 which will apply to any amphibian or reptile. There is a great need to accumulate more data and make sure that these rare species, some of which are coming close to being endangered already, are protected.

**Mr. Foulds:** Why is that not under the Endangered Species Act? What I want to know is why you are putting it under this act. What you are doing under the Game and Fish Act is supplying licences so that you can hunt the amphibians that you decide to designate.

**Mr. Bolan:** Again, it is a question of the regulations on this. According to this, it is with the authority of a licence and under certain terms and conditions as prescribed by regulations. Do you have any regulations with respect to the taking or the hunting of amphibians or reptiles and, in particular, bullfrogs?

**Mr. Yakabuski:** There are regulations with regard to the taking of bullfrogs, and there have been for many years.

**Mr. Foulds:** How did you do it without this section?

**The Deputy Chairman:** Any further questions?

**Mr. Foulds:** I want an answer to my question, Mr. Chairman. It was not a frivolous question. The parliamentary assistant indicated that there have been regulations regarding bullfrogs for many years without this section of the bill.

**The Deputy Chairman:** We can delay in putting the question and allow the parliamentary assistant an opportunity to reply.

**Mr. Foulds:** Under what authority were the regulations with regard to bullfrogs in place when you did not have this section that is at present before the House in place? How were they defined?

**Mr. Yakabuski:** Bullfrogs were mentioned specifically in the other act.

Mr. Foulds: This act?

Mr. Yakabuski: In section 92.

Section 27 agreed to.

Section 28 agreed to.

On section 29:

The Deputy Chairman: Mr. Yakabuski moves that section 29 of Bill 59 be deleted and the following substituted therefor:

"29. Section 77 of the said act is repealed and the following substituted therefor:

"(1) No person owning, claiming to own or harbouring a dog shall allow it to run at large during the closed season for deer, moose or elk in any locality that deer, moose or elk usually inhabit or in which they or any of them are usually found, and a dog found running deer, moose or elk during the closed season for deer, moose or elk in such a locality may be killed on sight by an officer without incurring any liability or penalty therefor.

"(2) No person shall use or be accompanied by a dog while hunting deer, moose or elk in any part of Ontario that is designated in the regulations, and a dog found running at large in such a designated part of Ontario may be killed on sight by an officer without incurring any liability or penalty therefor."

Mr. Foulds: Why did the amendment not include "bear"?

Mr. Yakabuski: We are just adding moose and elk to the present section. I guess "bear" was forgotten in the process of drawing it up.

The Deputy Chairman: Mr. Foulds moves an amendment to the amendment that the word "bear" be inserted in the proper places.

Mr. Yakabuski: Mr. Chairman, the use of dogs while hunting bear we can control under section 91 in the regulations.

9:30 p.m.

Mr. Foulds: Which part of section 91?

The Deputy Chairman: We seem to be losing our place here a little bit. The suggestion was that we add to the amendment the word "bear." I gather that the parliamentary assistant accepts that or do you figure that it is covered by section 91?

Mr. Yakabuski: We felt it was adequately covered in section 91(1) of the present act so we did not feel there was a need for it.

On the other hand, if the members opposite would sleep more easily, we could find a way of inserting that word "bear" in there.

The Deputy Chairman: I believe the member for Port Arthur is in the process of writing out an amendment we can place.

Is there any further discussion on the proposed amendment? I think we all have the gist of it.

Mr. Foulds: I apologize, Mr. Chairman, for the delay.

The Deputy Chairman: Mr. Foulds has moved that the word "bear" be included after the words "deer, elk or moose" in section 29(1) and that the section be amended as needed.

I gather that is in every place where the words "deer, elk or moose" appear. Is that correct? Shall Mr. Foulds' amendment to the amendment carry?

Motion agreed to.

The Deputy Chairman: Is it the wish of the committee that Mr. Yakabuski's motion, as amended by Mr. Foulds' motion, be carried?

Motion agreed to.

Section 29, as amended, agreed to.

On section 30:

The Deputy Chairman: Mr. Yakabuski moves that section 78 of the act as set out in section 30 of the bill be deleted and the following substituted therefor:

"78(1) In this section (a) 'field trial' means an activity the objective of which is to test the hunting skills of any dog; (b) 'training' means the process of teaching a dog, (i) hunting skills, or (ii) such skills as are necessary for participation in a field trial;

"(2) except with the written authority of the minister and subject to such terms and conditions as he may impose, no person shall conduct (a) a field trial, or (b) training that involves a game animal or a game bird during any closed season thereof."

Mr. Yakabuski: The minister may authorize during the closed season, field trials for dogs on game birds and game animals upon terms and conditions as he considers proper.

Motion agreed to.

Section 30, as amended, agreed to.

On section 31:

Mr. Foulds: Does the discretionary power end with the deletion of section 87? Is the discretionary power of the ministry that is at present in effect in section 87 deleted with the repeal of this section, or have you re-enacted that discretion with the amendments in section 4 of the bill?

Mr. Yakabuski: It is all under the new section 16. If the court orders forfeiture, the minister can dispose of it as he sees fit.



**Mr. Foulds:** The court must order that first?

**Mr. Yakabuski:** Yes.

Section 31 agreed to.

Section 32 agreed to.

On section 33:

**Mr. Deputy Chairman:** Mr. Yakabuski moves that section 33(4) of the bill be deleted and the following substituted therefor:

"4. Paragraph 16 of the said section 91 is amended by inserting after 'deer' in the third line, 'moose, elk or bear.'"

Motion agreed to.

**Mr. Deputy Chairman:** Mr. Foulds moves that a new subsection 9 be added to section 33 as follows:

"All regulations made under the said section 91 of the act shall be published in the Ontario Gazette 120 days before they come into effect."

**Mr. Foulds:** Mr. Chairman, I am quite flexible on this matter. I can see the necessity for a movable feast if you like. I mentioned this in the discussion of second reading of the bill. The parliamentary assistant indicated that my proposal at that time, which was 90 days, would be unworkable.

Surely the people of Ontario do have a right to know what the regulations of the law are some period of time before they come into effect. You should not be able to implement the regulation one day and have it come into effect the next day without there being some possibility of it being widely known.

Maybe 120 days is unreasonable. Maybe 90 days is unreasonable. Maybe 60 days is unreasonable. But I think the ministry and government should be willing to give us some figure—maybe 30 days. When we give so much power to a minister as we do in this act and there is so much power in regulation—power of forfeiture and power that amounts to seizure of property—that we have a right to expect that those regulations be published some minimum stated period of time before they come into effect.

9:40 p.m.

I am quite open to suggestions from the parliamentary assistant. We could take 30 days. I don't know, but I would like to have an intelligent and decent recognition of the principle which I have tried to embody in my amendment, imperfect though it may be.

**Mr. Yakabuski:** Mr. Chairman, I wish I could accommodate the member for Port Arthur. When we saw the proposed amendments requiring the regulations to be posted

90 days and then 120 days in advance of their coming into effect, we gave the matter a lot of consideration. We went over and over it and tried to determine if there was any way we could compromise on the original suggestion.

I think the amendment he is proposing is prompted by some of the problems we had during the present year. As he knows and we know, this has been a year of transition in the ministry so far as game management and the regulation of hunting are concerned. There have been some problems. Perhaps some of the regulations didn't appear to be out in sufficient time to give someone planning a holiday or planning a hunt or planning something else enough time to do that. These are all concerns we have too.

In many ways we tried to see what could be done to accommodate this amendment. After turning it over, twisting it around and looking at it from all sides, we had to come to the conclusion that there was not any way we could accommodate that, because things can happen very fast in the management of the resource.

I think I mentioned earlier, perhaps during second reading of the bill, we have to have a winter under our belt when we are talking about the animals we hunt in the fall. Sometimes we have wait until the winter is over to see what kind of winter we had. We have to assess the situation in the months of April or May. By the time we get a regulation together, we could not do it in 60, 90 or 100 days. These are the kinds of things that turn up.

We might go along for two, three or four years when it would be practical and we could have our regulations out in plenty of time. We incorporate in our hunting regulations the seasons for migratory birds; they have to be approved by the federal government. Sometimes we are held up by those and cannot have that regulation printed as early as we would like to. There are many factors that enter into it.

As I said at the outset, I certainly wish we could accommodate the concerns of the member for Port Arthur in some way, because I am sure they are genuine concerns. They are concerns that many of our hunters and sportsmen have year after year, and in certain years especially, this year being one of them. But it is highly impractical. I am told by our people who work in this field day after day, week after week and year after year that it would create complete chaos if they were fenced in by a regulation of 30, 60, 90 or even 100 days.

I think we have a good bill in front of us. We have given it second reading and approved it in principle. We have gone through it clause by clause. I think it would be just awful if we had to put it on the shelf and leave it there because the honourable member insisted that he needs regulations 30, 60, 90 or 100 days, because we certainly could not accommodate him. If that were the case, we would just have to not send the bill to third reading.

**Mr. Bolan:** Mr. Chairman, I feel there should be some kind of lead time on this. I think the number of days proposed by the member for Port Arthur is excessive. I have spoken to him; he is prepared to modify his position on the lead time.

We are dealing with some very wide, sweeping powers here under this act—the confiscatory powers alone, the powers to go in and to have regulations passed which affect property rights. I think the public are aware, and they should be given some lead time to say there are regulations that will be in effect by a certain date with respect to this type of activity. For that reason, I think there should be a reasonable lead time on it, and I understand such a proposal will be put forward by the member for Port Arthur.

**Mr. Foulds:** Mr. Chairman, I would withdraw the amendment I put forward and substitute a new one.

**Mr. Chairman:** Let's check just to make sure the committee is agreeable that this motion be withdrawn. I gather they are.

Motion withdrawn.

**Mr. Chairman:** Mr. Foulds moves that a new subsection 9 be added to section 33 as follows "All regulations made under the said section 91 of the act shall be published in the Ontario Gazette no less than 30 days before they come into effect."

**Mr. Foulds:** Believe it or not, I actually read over section 91 from the original act. I fail to know, and I would like the parliamentary assistant to indicate to me, which of the paragraphs in section 91 is unworkable to have a 30-day notice on. I really do not know why it is unreasonable to expect a 30-day notice for establishing classes of licences, requiring and prescribing the issue, form and duration in terms of coupons or tags. Surely we have to do that 30 days in advance or we are never going to get them out to the province where they are necessary.

As I go through each of those paragraphs, I do not know which ones the ministry finds it difficult to implement this rule about. If it

is reasonable to have 30 days on certain paragraphs and 14 days on other paragraphs, I would be glad to do that.

In a bill of this kind, where so much authority is given to the government, it is absolutely essential that this Legislature extract the vestige of its parliamentary power by insisting that those regulations be published for the people of Ontario some time before they come into effect. If that is not done, one conceivably could have a regulation published one day in the Ontario Gazette, have it come into effect the next day and three days later a conservation officer out in Winisk, Ogoki, Kenora or wherever, could be making an arrest or laying a charge under a regulation that the offender is not aware of and has not had a fair chance to be made aware of. I think it is just common sense and common decency in that we have some lead time in legislation.

I am sympathetic to the Ministry of Natural Resources officials' difficulties, but they have had some warning that this amendment or an amendment similar to this was coming forward. They have not supplied the parliamentary assistant thus far with the arguments against them. They have not given concrete examples, and the parliamentary assistant has not given concrete examples to this Legislature, that would convince me I should totally withdraw the amendment.

9:50 p.m.

**Mr. Yakabuski:** Mr. Chairman, I do not want to seem repetitious. My arguments remain the same, and I have little to add to them. We have had long discussions on these very points and have tried to think of ways and means whereby things could be different. The people responsible for putting together regulations informed me that it would be impractical and chaotic and they could not live with it. The honourable member might pick out some example where a regulations 30 days or 14 days in advance is practical, but there are many other instances where it is not practical at all.

This is a good bill. Many people out there, the people who go to the outdoors for recreation—to do their thing, so to speak—are depending on this bill and want it. It has been put together as a result of a lot of discussions with the anglers and hunters and many other groups in this province. It is good legislation and it would be a crying shame not to send it for third reading because of a dispute over lead time on regulations. Our people say they just could not live with that, because things can change rapidly in the management of our outdoor resources. They could not live with



having to work under regulations within such a time frame. There is little I can add to that, unfortunately. I would not want to see it happen.

I hope the member opposite can see our point of view, discuss it with our people if he wishes, and agree that this is a good bill. It should be in the statutes. Certainly we would not want to hold it up or shelve it because of a little dispute over these regulations and lead time.

**Mr. Foulds:** Mr. Chairman, if it is a matter of such importance, I agree the bill should be got through. But I have yet to hear a concrete example or reason given by the parliamentary assistant. As a legislator, I am afraid I would be negligent in my duty if I did not insist on a good reason for withdrawing my proposed amendment.

I also must say with perfect candour to the parliamentary assistant that I object to the kind of parliamentary blackmail and intimidation he tries to engage in. If the matter is of major concern, perhaps we should adjourn the clause-by-clause debate at this stage, and we could iron out our differences on these last few clauses. But, as a legislator, I do not feel at this time that I should withdraw the amendment. I do not appreciate the kind of twist the parliamentary assistant has given to the debate thus far. It has been an amicable debate even though there have been differences of principle here.

**Mr. Bolan:** Mr. Chairman, I would like to make one or two comments with respect to the remarks of the parliamentary assistant. I, as one member of this Legislature, resent the threats that the parliamentary assistant made a few minutes ago. Basically his threat is that if we do not play ball with him, he is not going to pursue third reading of this bill. That is exactly what he is saying, and as an individual I resent that. If this bill were as good as the parliamentary assistant makes it out to be, and if this bill were wanted by the people of Ontario so badly, he would have come here a bit better prepared to answer some of the questions that were asked.

Earlier this evening I spoke of the cavalier attitude of the government with respect to this bill, and that is exactly what it is. A good point on that is when we were talking about including elk and moose. The member for Port Arthur asked "What about bear?" The parliamentary assistant said, "Oh yes; we forgot that."

After 20 years of not bringing any amendments forward in the bill, the ministry finally has the guts to put something together and the parliamentary assistant cannot even pre-

sent it properly. I suggest that it is a parliamentary disgrace.

**Mr. Yakabuski:** Mr. Chairman, I too resent some of the remarks, because in no way is that a threat or any form of blackmail. It is a statement of fact. I could go on and perhaps say some unkind things, but I do not think it is warranted. I do not think I can answer that.

**Mr. Foulds:** Just one final comment, Mr. Chairman: The parliamentary assistant said his officials could not live with the amendment. I think that is what he said. But he has not offered us an alternative that his officials could live with. That is what I find objectionable as a legislator.

Although it is important that officials of any government ministry, including the civil service, be able to carry out their duties honestly and well—and I recognize that right—maybe we have to recognize the fact that legislation is enacted for the benefit of the people of Ontario. Quite frankly, I approach it from the populist viewpoint rather than as a bureaucrat. It seems to me that, if the legislation is for the benefit of the people of Ontario, they should have some notice of what the legislation is under which they are living.

This bill is a particular kind of bill. It is a bill that gives enormous and sweeping powers to a minister and to the Lieutenant Governor in Council. What we are seeking in this section is simply that the people of Ontario have some notice of what the regulations are that are going to be the law under which they live. I think it is a fundamental human right to have the opportunity to know what the laws are under which one may be charged. Unless there is a provision, such as the one I submitted, the people of Ontario will not have that right.

I am unwilling to withdraw the amendment at this point.

**Mr. Yakabuski:** If I may continue, it is not a matter of not wanting to give any lead time. Whenever this is possible, it is done. One of the prime examples was the regulations pertaining to bow hunters. They passed almost a year ago but went into effect September 1, 1980. They were new, different and affected rights et cetera; so as much lead time as possible was given. But to put every regulation in a straitjacket is just impossible.

10 p.m.

I think everyone is willing to co-operate and get those regulations out as quickly as they can and with as much lead time as is humanly possible. Sometimes there are printers' errors, and I can think of various things

that have happened over the years, but to stick everyone in a straitjacket is not workable. It is not that anybody has dug in or is stubborn about this item or situation; it is just a fact of life. I just want to make that point clear. Wherever it is possible, it is being done.

I have the feeling, because of the discussion that has taken place here tonight about regulations and lead time, that if there has been some tardiness in the past, the responsible people certainly will have gotten the message and there will be improvements. There have been times in the past when things could have been done at a better pace, and sometimes there were factors beyond the control of the people responsible that caused this, such as printers' errors, printers not delivering on time or whatever.

**Mr. Nixon:** Mr. Chairman, I understand that regulations normally are drafted, approved by the minister in cabinet and become effective at the time they are registered with the registrar of regulations. It is then imperative that, even though they go into effect at that time, the registrar must make them public in the Ontario Gazette within one month.

It simply means, as has been pointed out by the members who have already spoken on the amendment, that it is quite possible for the government to impose regulations that no one knows about except themselves and the registrar and they become law at that moment.

Obviously it is a very weak point in our democratic process and it is one to which we have objected in the past. I do not recall an occasion when an amendment has been put to a bill which would enforce that the regulations have one month's notice.

The unreality in this particular situation is that all this is being done in the absence of the minister. There is no doubt that the parliamentary assistant, with the very best of intentions, has received instructions from the minister and others that he is to take a particular position. He has announced to the House that, if this amendment carries, the bill cannot go forward, which he has said—and we would agree—would be a real tragedy.

It is also a fact that all the other regulations having to do with the statutes we have passed recently and for the past 113 years have been brought forward and promulgated in the way I have described. I think it is unfair and undemocratic, but probably the most frustrating thing is that the parliamentary assistant, not being the minister, cannot take the responsibility the minister would have and

say that, under these circumstances and pertaining to this statute, we are prepared to accept the one-month notice, which does not seem to be unfair.

I suppose we have to accept as bona fide the statement—which he says is not a threat but simply a statement of fact—that the bill will not proceed if the amendment put forward by the member for Port Arthur is carried.

Having put those facts on the record, I suppose it is my responsibility on behalf of my colleagues to say that we feel that, while the principle is an extremely important one having to do with this bill, we cannot support the amendment on the basis of what is a clear threat. I regret it very much, but under these circumstances we are prepared to allow the bill to go forward and give notice to the minister, or his surrogate spokesman here tonight, that we are completely unsatisfied with the regulation provision.

**Mr. Watson:** Mr. Chairman, I have been listening with interest to the debate on this particular subject. I think there are a few practical things we could take into account with regard to any notice that will be given. In hunting wild animals, for example, at some point technical staff may discover a disease and it may be necessary to change some hunting regulations to effect whatever control is deemed to be necessary.

The government would find itself in a very embarrassing situation if it had the technical knowhow to correct a situation and could not move for any period of time because of a regulation that said it had to have notice printed in the paper. I would agree with the principle that the ministry should give all the lead time it can; that is only common sense. But there could be circumstances—and the one that comes to my mind is an emergency that arises in the health of wild animals—where all of a sudden we have to change that because of the necessity of the situation.

**Mr. Foulds:** Mr. Chairman, the point the member for Chatham-Kent (Mr. Watson) makes is a good one, but none of the regulations that are devised under section 91, to the best of my knowledge, covers that contingency.

**The Deputy Chairman:** My draftsmanship experience tells me that the motion would be more proper if it added a subsection 2 to section 91 of the act if this amendment is to carry; so I will put it in that way, if the member for Port Arthur agrees.

Mr. Foulds moves that subsection 91 is further amended by adding thereto the following subsection:



"(2) All regulations made under the said section 91 of the act should be published in the Ontario Gazette not less than 30 days before they come into effect."

Motion negatived.

Section 33, as amended, agreed to.

On section 34:

**The Deputy Chairman:** Mr. Foulds moves that section 34 be renumbered as section 34(1) and the following subsection be added:

"(2) All regulations made under the said section 92 of the said act shall be published in the Ontario Gazette not less than 30 days before they come into effect."

**Mr. Foulds:** Mr. Chairman, I think this amendment is even more important, and I appeal to the members of the Liberal Party to support it.

Section 92 of the act has only six paragraphs in it, but those six paragraphs allow the minister to make regulations specifically prescribing open season for fur-bearing animals for hunting; prescribing open seasons for which rabbits, black, grey or fox squirrels may be hunted or trapped; setting apart waters for the conservation or propagation of frogs; regulating or prohibiting the placing of huts on ice for the purpose of fishing and regulating their use and their removal. Section 40 is the section of the act dealing with guiding, designating parts of Ontario where no person shall act as a guide. Paragraph 6 designates parts of Ontario as areas in which no nonresident shall hunt deer or moose without employing or being accompanied by a licensed guide.

Those six paragraphs outline specific powers to the minister that have to do with hunting and fishing seasons and, dealing specifically with those sections, I see no reason why it is impossible for the ministry to prescribe regulations dealing with those six topics and have those published 30 days in advance.

10:10 p.m.

It may be that the government does not want to concede a principle here, but it is for that very principle I am fighting. In this particular section I do not think we could carry out the regulations describing those activities unless they were in effect 30 days before the season to which they apply.

I must say, if the parliamentary assistant and the government do not accept this amendment at this stage, I will find them very wrongheaded unless they can give me what they failed to give me in the previous section, a concrete example. I am willing to grant they may have had a better case in the previous section, but, if they cannot give me a

concrete example on this section of where it would be impossible to devise a regulation that far in advance for publication and for the knowledge of the people of Ontario, I must stand by the amendment.

I appeal to the Liberal Party to support me in this case. I can understand the very difficult position that the House leader for the Liberal Party found himself in on the previous section. Frankly, it was a position in which I felt some awkwardness. However, I think this amendment is a little bit clearer. There is greater validity in the proposed amendment, because there are not the difficulties hinted at darkly by the parliamentary assistant associated with this particular section as there were in section 191 of the original act.

**The Deputy Chairman:** The chair has some clarification for the member for Port Arthur. The amendment that I have before me still reads "120 days".

**Mr. Foulds:** It was substituted for "120" in that line. That is why I was going to pass it to you.

**The Deputy Chairman:** At least 30 days; is that it?

**Mr. Foulds:** After the words in the amendment you have, Mr. Chairman, it would be, "shall be published in the Ontario Gazette not less than 30 days before they come into effect."

If it happens 60 days in advance and they want to publish them, that is all for the good.

**Mr. Yakabuski:** The same principle is involved here, Mr. Chairman, and I am afraid I cannot accept it.

The member for Chatham-Kent gave a shining and prime example of why the lead time the member for Port Arthur asked for in these regulations very often cannot be done. That is the kind of protection the ministry has to have.

Section 92 contains another example. Section 92(4) refers to the ice huts.

**Mr. Foulds:** The what?

**Mr. Yakabuski:** The ice huts. There are varying kinds of winters. There might be one winter when we get a breakup late in March—maybe around March 20. The normal time for the removal of ice huts is March 31. Looking at weather conditions, looking at what is happening out there, a regulation might have to be passed very quickly whereby these ice huts might have to come off the ice by March 20 rather than March 31; so it is impractical. We would not know that in January or February; it could happen in only a few days. For the same reason, we cannot accept the amendment by the member for Port Arthur.

**Mr. Nixon:** Mr. Chairman, for reasons previously stated we will not support the amendment.

**Mr. Foulds:** I would be quite willing to go so far as to say, "except for paragraph 4 of section 92, all regulations made under the said section 92 of the said act shall be published in the Ontario Gazette not less than 30 days before they come into effect."

**The Deputy Chairman:** All those in favour of Mr. Foulds' amendment will please say "aye."

All those opposed will please say "nay."  
In my opinion the nays have it.

Motion negatived.

Section 34 agreed to.

On section 35:

**Mr. Foulds:** In section 35 there is a blank, "The Game and Fish Amendment Act, 1980, being chapter , is repealed." What is it going to be?

**The Deputy Chairman:** That depends on the time it receives royal assent. The editor will put the proper number in there at that time depending on the order in which it gets royal assent.

**Mr. Foulds:** No. It says, "The Game and Fish Amendment Act, 1980, being chapter , is repealed."

**The Deputy Chairman:** Maybe my information should be improved a little there.

**Mr. Yakabuski:** Mr. Chairman, it should read: "The Game and Fish Amendment Act, 1980, being chapter 4, is repealed."

**The Deputy Chairman:** I apologize for the inaccurate information I gave the member. Are we agreed that chapter 4 is correct there?

[The proposed section 35 now reads: "The Game and Fish Amendment Act, 1980, being chapter 4, is repealed."]

I am informed that the first information I gave you may be correct.

**Mr. Foulds:** Why don't we stand down section 35 and deal with sections 36 and 37?

**The Deputy Chairman:** I think we can clear it up in a hurry.

**Mr. Nixon:** Mr. Chairman, section 37, which we are coming to, says, "The short title of this act is the Game and Fish Amendment Act, 1980." Section 35, which we are talking about, says the Game and Fish Amendment Act, 1980, is repealed.

**Mr. Foulds:** Is it all going to go for naught?

**Mr. Nixon:** Did we do another one earlier? Is this an earlier act? A private member's bill?

**Mr. Yakabuski:** No. This is the previous bill that is repealed, being chapter 4.

**The Deputy Chairman:** We have to get the information here.

**Mr. Foulds:** What we are referring to in section 35 is the Philips bill. Is that right? All right; fine.

**The Deputy Chairman:** We have that now. So we do not know which number the Philips bill will be given. When we know that number, it will go in there. At the present time we have to leave it blank. Are we all clear on that?

Section 35, as amended, agreed to.

Sections 36 and 37 agreed to.

Bill 59, as amended, reported.

On motion by Hon. Mr. Wells, the committee of the whole House reported one bill with amendments.

The House adjourned at 10:19 p.m.



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# **Legislature of Ontario Debates**

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, October 23, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, OCTOBER 23, 1980

The House met at 2:04 p.m.

Prayers.

## SUPPLEMENTARY ESTIMATES

**Hon. Mr. Elgie:** Mr. Speaker, I have a message from the Honourable the Lieutenant Governor signed by his own hand.

**Mr. Speaker:** John B. Aird, the Lieutenant Governor, transmits supplementary estimates of certain additional sums required for the services of the province for the year ending March 31, 1981, and recommends them to the Legislative Assembly, Toronto, October 23, 1980.

## NIAGARA ESCARPMENT DEVELOPMENT

**Mr. Swart:** I rise on a point of privilege, Mr. Speaker. I believe my privileges, and the privileges of the other members of this House, have been violated by the Minister of Housing (Mr. Bennett) in two respects.

On Monday, I asked the Minister of Housing if he had received, or had before him, an official plan amendment from the township of Euphrasia to permit a 300-acre commercial-residential development on the natural protection area of the Niagara Escarpment in the Beaver Valley area. The Minister of Housing replied, and I quote from Hansard: "I will answer the question in a very positive way. To the best of my knowledge it has not appeared on my desk at this point. Until it does and I know the background of it, I have no intention of offering any further answer to the question."

I have proof here that he had received the amendment more than two months previously, knew about it and had it before him at the time he gave that answer. I will read to you extracts from a letter addressed to Mr. Robert Leverty, RR 2, Markdale, dated September 3, 1980, and signed by the minister. It is as follows:

"Dear Mr. Leverty:

"Re: Amendment No. 33 to the Beaver Valley official plan, Epping Commons development:

"Thank you for your letter of August 26, 1980, on the above. As you know, I have recently received this amendment."

The letter is signed by the minister. Several similar letters were received by others who asked for referral.

I quote, too, from Mr. Claude Bennett's letter dated August 20, sent to Mrs. R. Howser of the law firm of Goodman and Goodman, lawyers for the developers: "My decision on this appeal is without prejudice to consideration of the official plan amendment affecting these lands now before me." That is the minister's letter, although it was signed by the Minister of Government Services (Mr. Wiseman).

The second part of this privilege issue is the minister's further reply of Tuesday, October 21, to the second part of my question on Monday. I asked if the minister would turn down the amendment if the appellants withdrew their request that it be referred to the OMB. His reply was, and I quote, "I shall review the case and report to the House." On Tuesday he said, and again I quote from Hansard, "This morning I signed the letter of referral to the OMB for their deliberation."

On Monday the minister knew nothing of the issue but on Tuesday morning he signed the referral before giving his promised review to this House. I submit, Mr. Speaker, the minister has displayed contempt for this House and thus violated our privileges for a Cantrakon-type developer who has close ties with his party. I send you, Mr. Speaker, a copy of the two letters and ask you to consider them with Hansard to see if our privileges have been breached.

**Mr. Speaker:** The usual procedure on a matter of this kind is for any honourable member to wait until the minister is in the House so that he can respond to him. The minister is not here. I will go over what the honourable member has said while awaiting some kind of response, if that should be forthcoming from the minister in question.

## STATEMENTS BY THE MINISTRY

ONTARIO HUMAN  
RIGHTS COMMISSION

**Hon. Mr. Elgie:** Mr. Speaker, I would like to announce that the government has approved a significant enrichment to the staff of the Ontario Human Rights Commission. As a result of this approval, the commission's budget has been increased by approximately 18 per cent. As members know, the commission has experienced a major growth in the number and complexity of cases over the last several years. Although improvements in case processing have been implemented, additional resources are required to ensure that all complaints and investigations are promptly resolved.

The commission has been authorized to recruit 10 additional professional staff, nine of whom will be assigned immediately to field work. The additional position will be filled by a full-time solicitor, who will work closely with the entire field staff to facilitate conciliation and mediation efforts. Five of the added complement will be assigned to the race relations division, for assignments to specific sectors of the community. In addition, appropriate support staff, five in number, will be assigned to service the needs of the added professional staff.

2:10 p.m.

Perhaps I should add that these additional resources are independent from any resources that may be required as a result of the changes to the Ontario Human Rights Code that I will be proposing within the next few weeks. I believe that with this improved capability the commission will be better able to fulfil its important mandate.

**Mr. Nixon:** On a point of order, would the minister not feel it is his duty to make that announcement in the House first rather than have us get those details and even more by watching the chairman of the commission being interviewed on television last night?

**Hon. Mr. Grossman:** That is not a point of order.

**Mr. Nixon:** Sure it is. It is the minister's duty to report to this House. I would sooner listen to Miss Crittenden than him but he is the minister and she is not.

**Hon. Mr. Elgie:** But I'm a doctor; does that not give me any standing?

Mr. Speaker, I am always interested in the comments the member has. I will give them the consideration they deserve, which probably means I will review the matter. But there is no suggestion that I am trying to

breach the privileges of this House because he knows and I know the great respect I have for this Legislature.

ONTARIO'S INDUSTRIAL  
PERFORMANCE

**Hon. Mr. Grossman:** Mr. Speaker, two weeks ago my colleague the Treasurer (Mr. F. S. Miller) delivered a statement to the House reviewing the overall position of the provincial economy. This afternoon I would like to provide the members with more specific details about Ontario's industrial performance and discuss the future outlook for our manufacturing and resource sectors.

All North American jurisdictions—and particularly major, established manufacturing centres—are undergoing difficult structural adjustments for which there are no simple solutions or quick fixes.

**Mr. Speaker:** Point of privilege?

**Mr. Cassidy:** On a point of order, Mr. Speaker, is it appropriate for the minister to make his contribution to the debate on the full employment bill of the New Democratic Party in statements rather than during the private members' hour? Why should that minister have that privilege when the rest of us will be debating our full employment bill, which deals with the failure of the government to create full employment, in an hour's time?

**Mr. Speaker:** It is the prerogative of any minister of the crown, under our standing orders, to make a ministerial statement; that is exactly what he is doing.

**Hon. Mr. Grossman:** The leader of the NDP will be disappointed to hear there is good reason to be encouraged when we compare Ontario's performance with that of the other North American industrial jurisdictions. As the Treasurer indicated to the House, overall employment in Ontario is still growing, and indeed growing at a strong pace when we compare our province with similar economies on this continent.

The most recent figures show that 76,000 more people are working in Ontario today than were working one year ago. This compares with the decline in total employment of 297,000 people in the United States, year over year.

Ontario's seasonally adjusted unemployment rate for September stood at 6.7 per cent. In Michigan, the unemployment rate was 12.7 per cent; in Ohio, 9.1 per cent; in New York state, 7.1 per cent; in Pennsylvania, 7.7 per cent, and in Illinois, 8.8 per cent.



**Mr. Bolan:** What is it in Windsor?

**Hon. Mr. Grossman:** Lower than it is in Detroit.

When we look at manufacturing investment in Ontario, the most critical economic indicator in terms of our future employment needs, we have good reason to be optimistic. As the Treasurer indicated to the House, manufacturing investment in this province is forecast to increase by 44 per cent this year. While plant closures understandably attract much public attention, few people are aware of the many plant openings and expansions which are taking place throughout this province.

**Mr. Renwick:** Mr. Speaker, on a point of order.

**Mr. Speaker:** There is nothing out of order.

**Mr. Renwick:** Mr. Speaker, on a point of order.

**Mr. Speaker:** There is really nothing—

**Mr. Renwick:** Mr. Speaker, on a point of order. My point of order is that a ministerial statement is designed to inform the House of matters of policy with respect to the government and not to engage in debate in this assembly on matters before the House for debate today. A ministerial statement under any definition of the rules is not a wide open opportunity for ministers of the crown to engage in debate disguised as statements of policy by the government. I ask you to so rule.

**Mr. Speaker:** Until at least I have had an opportunity to hear what the minister has to say, I will not be in a position to judge whether or not he has a right to say it.

**Hon. Mr. Grossman:** That seems reasonable. Mr. Speaker, I want to assure you this statement is meant to inform the House and that is what is hurting over there.

Those major capital projects are good indications of our strength and of the confidence the private sector has in our economic future. In real terms between January 1, 1979, and August 31, 1980, a total of 307 new manufacturing projects involving investments in excess of \$500,000 were announced by enterprises operating in Ontario. These projects will result in total new investments of more than \$7.4 billion. They will create 24,947 direct new and permanent manufacturing jobs in the province, not to mention the many thousands of other jobs that will be stabilized because plants are being modernized and capacity increased, and the additional thousands of

spinoff jobs that will be created in the construction service and other related sectors.

Of these 307 major new investment projects that include both construction of new facilities and reinvestment in existing operations, 142 involving a total investment of \$3.8 billion were announced in the 1979 calendar year. A further 165 involving a total investment of \$3.6 billion have already been announced between January 1 and August 31, 1980, indicating that this activity is not only keeping pace but is actually gaining momentum this year.

I might add that the private sector decisions to undertake these massive investment projects in Ontario have been made at a time of both pronounced recession in the United States, with its related market problems, and high interest rates in Canada. This represents a clear indication and firm market proof of the confidence and faith that private industry has in our economic future.

Let me turn now to a review of some of Ontario's key industrial sectors, beginning with the automotive industry. It has been a difficult time for the automotive industry and, more particularly, for those who depend on that sector for their livelihood. But there is good cause to believe the worst is past. There are good, clear signs of solid recovery.

Layoffs and job losses for the North American motor vehicle manufacturers in both the United States and Canada reached their peak in mid-August of this year. Since that time a total of 2,764 workers on indefinite layoff in Ontario have been recalled by the automobile manufacturers and 1,608 workers on temporary layoffs have returned to their jobs. An additional 4,800 workers have been recalled by independent parts manufacturers. Indications are that this is just the first step in an overall strengthening of the industry.

Since the beginning of 1979, over 70 auto parts projects involving new plant construction or expansion of existing facilities have been announced or implemented by the Ontario independent auto parts industry. When these projects are completed, over \$230 million will have been invested on new buildings and equipment and more than 3,900 new jobs will have been created.

Three of the major auto manufacturers have also announced substantial investment intentions. General Motors will be investing \$2.25 billion in Canada by 1982, and Ford and Chrysler will invest a total of \$1.6 billion by 1983. General Motors' projects in-

clude an expanded Windsor plant for front-wheel-drive transmissions, a new small V-6 engine in the St. Catharines plant and conversion of the Oshawa B assembly plant for production of the new J car.

Ford is now completing construction of its new Windsor engine plant and casting plant. During January 1981, Ford will convert the St. Thomas assembly plant to production of the new Escort and Lynx models. Chrysler will be undertaking a major expansion of its Pillette Road truck plant to produce the new mini-van. A stretched version of the K car will also be introduced in 1983 or 1984.

2:20 p.m.

In addition, we anticipate construction on the \$20 million Chrysler automotive research and development facility to commence no later than 1982. As the honourable members are aware, the province of Ontario obtained that research and development centre and agreed to pay half the cost, provided we gain ownership of the facility if the company fails to survive. Chrysler's R and D facility will be used by the company to undertake R and D in aluminum and plastics applications for lightweight, fuel-efficient automobiles.

These major investments will result in significant numbers of new jobs and in replacements for jobs lost as a result of other plant closures. For example, 2,000 workers will be hired at the new Ford engine plant between now and April 1, 1981. General Motors will be hiring at least another 2,000 people to work in its Windsor transmission plant. We believe this increase in employment will continue with the introduction of the more energy-efficient North American sub-compact cars.

Our automotive sector has gone through a difficult time. On the assembly side, our layoffs have been much less severe than in the United States. In mid-August, 110,000 or 24 per cent of the US assembly workers were on temporary or indefinite layoff. In Canada, on the other hand, 7,000 or 13 per cent of our assembly workers were on temporary or indefinite layoff. Since that time, there has been a major improvement in both Canada and the US.

The longer-term strength of our automotive sector depends largely upon the Canadian-owned parts industry, which is expanding as a result of exchange rates, duty remission schemes, aggressive export programs, increased research and development and the transition to auto parts made of raw mate-

rial abundant in Ontario. Further, our auto parts technical centre at the Ontario Research Foundation will offer added R and D strength to the industry.

**Mr. Renwick:** Mr. Speaker, on a point of order.

**Some hon. members:** Order.

**Mr. Speaker:** Order. Order. Will the honourable member please take his seat.

**Mr. Renwick:** On a point of order—

**Mr. Speaker:** Would he please take his seat. I want to remind the member of something, but I prefer that he be sitting. I want to remind the member that he cannot get up on an alleged point of order or point of privilege simply for purposes of interrupting another member who legitimately has the floor.

**Mr. Warner:** The minister is abusing the rules of this House.

**Mr. Speaker:** The member for Scarborough-Ellesmere simply does not know the rules. I would like to remind honourable members that the standing order under which the minister has the floor is for purposes of making a ministerial statement. Statements may be made by ministers relating to government policy, ministry action and other similar matters which the House should be performing. He is not only stating policy, but he is reporting what he considers to be important facts to the House.

**Mr. Martel:** Mr. Speaker, to the point of order: Mr. Speaker possibly is not aware that my friend's estimates have been on for the past two weeks, and if he had wanted to give that information he could have given it in the committee, which concluded the discussions on his estimates yesterday and in which my colleague could not drag answers out of him pertaining to this material. It is an abuse of the House.

**Mr. Speaker:** Order. The minister is taking advantage of this opportunity to inform the House, and it is my responsibility to see that he gets that opportunity. Would he please continue.

**Hon. Mr. Grossman:** Good news hurts over there, doesn't it, men?

**Mr. Renwick:** Mr. Speaker, on a point of order—

**Mr. Speaker:** I have already ruled. If the honourable member wants to challenge my ruling, he can go ahead. We won't debate it, but he can challenge it if he wishes. Will the honourable member please take his seat.



**Mr. Renwick:** Mr. Speaker, since you chose to give me a little lecture, may I draw your attention—

**Mr. Speaker:** No, you can't. Will the honourable member please take his seat. Will the Minister of Industry and Tourism please continue.

**Hon. Mr. Grossman:** Thank you, Mr. Speaker. We firmly believe that the automotive sector, both assembly and parts, will emerge from the downturn stronger than ever before.

There are similar indications of strength in other key industrial sectors. Our aerospace industry, for example, currently employs about 18,000 people in this province. We project that by 1985 this level will increase by 40 per cent to a total of 26,000 jobs.

The growth in this sector has been steady and spectacular. Since 1976, McDonnell Douglas has increased its employment levels in Ontario from 1,500 to more than 5,000. De Havilland has made a similar increase and expects to be employing 7,000 people by 1983, in addition to the 1,000 new jobs which will be created now we have succeeded in ensuring that the Dash-8 assembly operation remains in Ontario.

Investment plans announced by other aerospace firms will further contribute to increased levels of employment in the industry. Fleet Industries—the member for Niagara Falls (Mr. Kerrio) will be interested in this—will create 400 new jobs at its plant in Fort Erie. TFI will create 110 new jobs in Mississauga. A major expansion project at Litton Systems will create 600 new jobs at the company's operations in Rexdale. Wardair will create 400 new jobs in Malton.

Canada's aerospace industry is the fifth largest in the world. Forty-two per cent of the industry's operations are located in Ontario and 80 per cent of our production is sold into export markets. The industry is involved in continuing expansion and development, creating the kinds of high technology, internationally competitive job opportunities we need in this province.

An area of even stronger growth in Ontario is the electronics industry and, in particular, the critical microelectronics sector. The Canadian-owned companies that comprise the Canadian Advanced Technology Association had average growth rates in the range of 50 to 75 per cent in 1979. Membership in the association has already expanded to 82 companies, an increase of 60 per cent over the 1979 membership of 51.

**Mr. Sargent:** Point of order.

**Mr. Speaker:** What is your point of order?

**Mr. Sargent:** Can you tell me if you are going to set a time limit on this?

**Mr. Speaker:** Yes.

**Mr. Sargent:** Is he going to go all day? What is the time limit? He has got half an hour yet to go.

**Hon. Mr. Grossman:** There is enough good news to take the rest of the afternoon, but I have tried to compress it into about 20 minutes.

**Mr. Speaker:** The standing order clearly says that on Thursday, when private members' business is being discussed, the time for ministerial statements will be restricted to one half hour, except by unanimous consent of the House, and when we arrive at that time—

**Hon. Mr. Grossman:** I know the members opposite wouldn't consent to good news.

The achievements of companies such as Northern Telecom with 33,000 employees worldwide, Gandalf Data Limited with 650, and Mitel Corporation with 1,700 employees in Canada, the U.S., Europe and Asia, are well known. We estimate the total private sector investment in the electronics industry in 1979 and 1980 will exceed \$45 million, creating more than 1,400 new jobs.

Those firms operating in the Ottawa-Carleton region expect to increase employment from the current level of 15,000 to over 100,000 by the end of this decade. A study recently completed by my ministry's Ottawa office indicates major increases in skilled manpower opportunities within the next five years. These increases range from 150 per cent to 340 per cent over current levels in various job categories.

Turning to other sectors, our steel industry continues to be among the most efficient in the world, providing a key and fundamental advantage for much of our overall manufacturing capability. The list of major investment projects announced by firms in this sector will exceed \$1.5 billion.

Stelco has announced a new \$365 million expansion program, and \$500 million in new expansion projects have been announced by Dofasco. Algoma Steel plans to invest \$450 million in two major capital projects, Atlas Steel will be investing \$100 million at its plant in Welland and Lasco will be investing \$90 million in Whitby. These investments will create a total of 1,875 direct, new and permanent jobs in addition to the hundreds of additional jobs that will result from the strengthening of our ability to compete in steel-related products.

In the expanding chemical sector, 13 projects involving new investment of more than \$650 million have been announced in 1980 alone. These projects will result in 390 new jobs.

2:30 p.m.

Much as it hurts over there, the pattern is clear. The \$7.4 billion of new manufacturing investment announced between January 1, 1979, and August 31, 1980, reflects healthy long-term growth in virtually every sector of our economy.

That healthy long-term growth is reflected in virtually every area of Ontario as well. More than \$1.7 billion in investment projects will be undertaken in northern Ontario, creating 1,875 new jobs. More than \$244 million of the investment will take place in eastern Ontario, creating more than 3,750 new jobs. In the western Ontario region, investment projects totalling in excess of \$1.9 billion have been announced. These projects will create more than 5,830 new jobs. In the central west region, manufacturing investment projects will total more than \$2 billion, creating more than 6,080 new jobs. In the central east region, more than \$1.4 billion of new investment will take place, creating 7,400 new jobs.

I think it is encouraging to note that more than half of the announced investment programs will be undertaken by Canadian-owned firms. The investment intentions of firms throughout this province are much more than an indication of current economic activity in Ontario. They show the clear commitment of the private sector to construct, modernize and expand manufacturing operations in our province, providing us with the assurance that we will continue to remain competitive through the 1980s and beyond. They represent, I suggest, an unmistakable vote of confidence in Ontario and its economy by private firms in virtually every industrial sector.

They indicate as well the success of the two-pronged approach our government has taken: promoting the expansion of Canadian-owned firms and research development, and aggressively attracting the type of foreign investment we need to ensure employment growth and technology transfer. I should remind the House that this analysis today is one that reflects only major capital investment projects and does not include the very substantial number of smaller, but just as important, expansions being undertaken by smaller manufacturing enterprises in Ontario.

We are not immune to the recessionary pressures that have so afflicted the United States, and we face an even more urgent need to continue to modernize and expand our manufacturing capacity. But the evidence, in the form of the facts and figures I have provided today, indicates we are doing that successfully.

Over the next few weeks, I plan to outline a number of additional new initiatives that I hope the members will support. These initiatives will, we believe, improve our long-term prospects in manufacturing through the development of more Canadian-owned high technology enterprises, expanded research and development and increased efforts in export markets by our major manufacturers.

There is no question that Ontario is continuing to expand its manufacturing base and continuing to realize capital investment growth in this vital sector. The reasons for this are clear. We are fortunate in this province to have secure, reasonably priced energy supplies, a productive and committed labour force, a rich and abundant natural resource base and stable, sensible provincial government policies.

**Mr. Laughren:** Mr. Speaker, I rise on a point of order and I would ask you to refer to standing order 26(c) which requires that, "After any policy statement the minister shall table a compendium of background information." Since the minister and the Speaker both apparently agree that was a statement of policy, I would ask that you require the minister to table such information. Further, I wonder if you could also give us a ruling as to whether or not you think it's right that the Minister of Industry and Tourism should be stealing this turf from under the feet of the Treasurer? I ask for your comment, Mr. Speaker.

**Hon. Mr. Grossman:** Why, does it hurt so much?

**Mr. Speaker:** Order.

**Mr. Laughren:** Would the Speaker make a ruling as to whether or not it is appropriate in this chamber to have the Minister of Industry and Tourism stealing from right under the Treasurer's feet, turf that belongs to him?

**Mr. Speaker:** I really do not think the Treasurer needs the help of the member for Nickel Belt to protect what he thinks is his domain.

**Mr. Cooke:** Mr. Speaker, I would like to draw to your attention a matter I believe is a point of privilege, and I would like you to look at it.



We just finished the Ministry of Industry and Tourism estimates yesterday in the resources development committee. I prepared an opening statement which outlined alternatives to the present government policy, which took about an hour and a half in committee. I spent many hours preparing that particular opening statement.

While the government may not agree with such statements, it is accepted practice in this House and in committees that the minister respond. Instead he took the time of the Legislature today in statements to respond to my opening statement on matters we raised in committee. I think it is an abuse of the House and typical arrogance from that minister.

**Mr. Speaker:** When the honourable member is recognized in the committee, he does what he has to do within the confines of the rules of committee. How the minister chooses to respond, either in committee or in the House, is the prerogative of the minister.

## ORAL QUESTIONS

### AID TO PENSIONERS

**Mr. S. Smith:** Mr. Speaker, the Minister of Revenue will be aware that 40 seniors at St. Anne's Tower for Senior Citizens in Toronto have sent in forms for the so-called new tax grants even though they were not eligible, and have received cheques from the government. Since a representative of his ministry has already been there asking for the money back, would the minister tell the House whether it is his intention to go after these senior citizens, many of whom are at the bottom of the income scale, in order to get this money back? If he does intend to do that, would he tell us what tactics he intends to use if the seniors refuse to give the money back?

**Hon. Mr. Maeck:** Mr. Speaker, I am aware of the situation the Leader of the Opposition has spoken about. A ministry representative did go to this particular place, not to collect money but to advise the administrator that these people were not eligible for the property tax grants. Assistance was asked of the administrator, in addition to advising the residents, to put up a sign on the bulletin board advising them they were not eligible under the legislation.

There are some 40 senior citizens who did receive cheques. We have examined those applications. Some of them were not properly filled out. I think about five of them were a mistake of the ministry staff.

Obviously, it is against the legislation for me to permit payment of these property tax grants to these people.

I have no intention of sending ministry officials around and strong-arming senior citizens to collect the money back. However, under proper circumstances, they will be receiving a letter from me as minister indicating that they are not eligible for the grant and that we would ask them to return it. We do not have replies at the moment. If they refuse, of course, if they have already spent the money, then we would try to arrange for them to pay it off at a very nominal amount they could afford to pay.

**Mr. S. Smith:** By way of supplementary, does the minister see a certain poetic justice here? Given that his program was originally designed—

Interjections.

**Mr. S. Smith:** Mr. Speaker, I do not see why you care to listen to the people who have—

**Mr. Breithaupt:** The anti-poetry member for Timiskaming (Mr. Havrot).

**Mr. S. Smith:** I can assure the member for Timiskaming that none of the recipients was in the groups he dislikes so much, which take in rather a large number of people, I suspect. He should not be too worried about this.

2:40 p.m.

I would ask the minister, given the fact that his ill-conceived program was designed—

Interjections.

**Mr. Speaker:** I can hear the honourable member.

**Mr. S. Smith:** Mr. Speaker, since you are the only one interested in hearing the question, I will direct it to you.

Since the minister's ill-conceived program was designed to cheat the people at the very bottom of the income scale, including those at St. Anne's, and since there is a certain poetic justice in the fact that those people got their money anyhow despite the efforts of this ministry, why does the minister not accept in the first place that this money belongs in the hands of those elderly citizens in St. Anne's Tower and leave the money there and not harass these people by asking for the money back?

Furthermore, why doesn't he take the additional step, instead of sending more cheques to millionaires in Ontario as he is doing at present, to send money to the other

senior citizens at the very bottom of the income scale whom he has cheated out of the money that is rightfully theirs?

**Hon. Mr. Maeck:** Mr. Speaker, no one in this province has been cheated out of any money and I resent that statement. We have no intention of harassing any senior citizens. I have enough confidence in the senior citizens of this province that if they realized they had received money they should not have received they would return it. It will not require harassment on the part of this government and it will not happen.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Did the Minister of Revenue not see the halfhearted way in which the Premier (Mr. Davis) applauded his statement a minute ago, and do he and the government not realize that between now and the election the government is going to change its policy and it is going to adopt the policy that no senior citizen in Ontario should get less in property tax credits than he or she got a year ago? Given that that is going to take place between now and the election, why does the minister continue to harass senior citizens? Why not change the policy now?

**Hon. Mr. Maeck:** Mr. Speaker, I have said in the House on previous occasions that there are some people who will receive less this year than they did last year; 95 000 as a matter of fact. The policy of the government has been to tie this program to property taxes. The institutions we are speaking of today do not pay property taxes, it does not reflect in the rent these people are asked to pay and, therefore, they are not eligible for the program. If the government at a later date, after re-examination, decides to include these people, that's fine. At the moment, this is the government's position.

**Mr. S. Smith:** Supplementary: Is the minister aware that since his representative was at St. Anne's Tower telling them that they did not deserve the money and they were not supposed to have it when, in fact, they are the poorest people in Toronto, many of these senior citizens are quite worried now? A number of them had a sleepless night wondering what is going to happen to them because they spent the money.

That may not mean much, but these are law-abiding citizens, they know they need the money, they know the money is rightfully theirs rather than belonging to the millionaires the minister is sending it to, but they do not want to break the law.

Why does the minister not agree that he will not try to collect that money back and just be very clear about it? It was his mistake anyway; they believed his advertising.

**Mr. Speaker:** Just before the Minister of Revenue replies, I think in terms of what went on during ministerial statements, when everybody on this side of the House insisted that his colleague be heard, now when we are in question period, why don't you extend the same courtesy to people who are asking questions on this side of the House?

**Hon. Mr. Maeck:** Mr. Speaker, I must obey the legislation of the province. At the moment, that legislation says these people are not entitled to property tax grants. If I were not to make an attempt to collect, I would be subject to criticism by the provincial auditor and indeed by the public accounts committee. The law exists in the province at the moment whereby these people are not eligible.

I have indicated that I am not going to harass these people, but if I do not collect, it would be unfair to those other ones in the same category whose applications were refused. It would not be fair to extend it to 40 people and not to everyone. It has to be one way or the other; either no one is eligible or everyone is.

**Mr. Laughren:** Mr. Speaker, why does the Minister of Revenue not do that which we suggested to him when this bill was being debated last spring, namely, raise the level of Gains benefits so those most in need will receive the assistance?

**Hon. Mr. Maeck:** Mr. Speaker, we did raise the level of Gains benefits by \$10 per month at the time this program was instituted. In addition to that, the federal government increased the guaranteed income supplement by \$35 per month, so there is an additional \$540 per year now going to the senior citizens who are eligible, over and above what they got last year and during the time when the Ontario tax credit program was in place.

**Mr. Speaker:** A new question, the Leader of the Opposition.

Interjection.

**Mr. Speaker:** If your leader wants to share the time for a question with back-benchers, he will say so.

**Mr. Mancini:** Why do you always come down on back-benchers?

**Mr. Roy:** Why do you always pick on the little guys?



**Mr. Breithaupt:** Always the little guys.

**Mrs. Campbell:** You want to do all the talking.

### RURAL ELECTRICAL RATES

**Mr. S. Smith:** Mr. Speaker, the Premier will recall that when he addressed the Legislature and a number of assembled farmers from the rural community on April 10, 1980, he said he was asking the Minister of Energy (Mr. Welch) to obtain from Ontario Hydro special electricity rate proposals to reduce the differential between urban and rural hydro rates. He said, and I quote, "It is my expectation that those proposals will be available this fall so that revised proposed rates can be introduced by Ontario Hydro as quickly as possible."

Given that a statement from Ontario Hydro yesterday said rural rates were going to be increased more than the urban rates were going to be increased, and that far from lowering the differential, the differential is going to continue to make our rural rates by far the highest west of New Brunswick and roughly twice the rural rate in our neighbouring province, can the Premier explain what happened on the way to the implementation of this statement which he made so cavalierly to the assembled farmers at the time? Why are things moving in the opposite direction?

**Hon. Mr. Davis:** Mr. Speaker, I did not get the last part of the question.

I have to say, I do not know the Leader of the Opposition's definition of cavalier. He would know that far better than I. I recall very vividly the statement I made.

**Mr. S. Smith:** I know most things better than the Premier.

**Hon. Mr. Davis:** Pardon? I did not quite get that.

**Mr. S. Smith:** Certainly—

**Hon. Mr. Davis:** No, I think I did hear it, that the Leader of the Opposition knows most things better than I do. I know that humility has always been one of his long suits. His modesty really overwhelms the people of this province. I must confess I have certainly never tried to compete with him in an intellectual sense because he would never understand it.

**Mr. S. Smith:** If the Premier would like to engage in a—

**Hon. Mr. Davis:** Mr. Speaker, does the Leader of the Opposition have any other pleasant remarks before I start trying to answer the question?

**Mr. S. Smith:** We are listening.

**Hon. Mr. Davis:** Mr. Speaker, I recall very clearly the very simple statement I made. I don't recall whether there was a large number of farmers here or not; certainly there were some.

**Mr. Breagh:** You had to take your shoes off to count them.

**Hon. Mr. Davis:** I have to tell the honourable members, we have a lot of farmers over here.

**Mr. Riddell:** Where are they?

**Hon. Mr. Davis:** There are not many over there.

**Mr. Speaker:** I do not think there is any argument as to how many farmers were here, there or any place else. As I recall, the question dealt with hydro rates.

2:50 p.m.

**Hon. Mr. Davis:** Mr. Speaker, you are quite right. But I recall something in the preface to the question from the Leader of the Opposition referring to a large number of farmers. Did you not hear him say that?

**Mr. Speaker:** I heard the body of the question which dealt with hydro rates.

**Hon. Mr. Davis:** There are a large number of farmers over here as well.

**Mr. Speaker:** I would like the Premier to talk about the subject matter of the question.

**Hon. Mr. Davis:** I will be delighted to talk about the subject matter of the question. My recollection of the statement was that it was really very simple. I announced to the House that I was asking the Minister of Energy to obtain for the government a report as to how we might effectively reduce the differential between the rural and urban rates. I asked for it for this fall. I understand that report will be available this fall. I still stand by the commitment I made in the statement, on behalf of the government, asking the Minister of Energy to obtain this report to develop an approach whereby we could reduce the differential.

If the Leader of the Opposition is referring to the story in the Globe and Mail this morning—and I am only going by recollection—the bulk rate is up 9.3 per cent, the industrial rate is up 9.6 and the rural rate is up approximately 9.8 or 9.9. If the Leader of the Opposition were to consult with his experts on the Hydro affairs committee he would find that the 9.3 per cent, which is the increase in the bulk rate to the municipalities, may in some municipalities reflect itself in some-

thing over 9.3 per cent; that has been the traditional pattern. If he does his calculations correctly, I think he will find the differential that exists will not be altered by the Hydro announcement of yesterday.

I have not seen the report, but I know—I am just trying to help the members—I know there are some complexities in introducing this policy. If the Leader of the Opposition would check carefully, he would find there are now some municipal rates that are above some of the rural rates. There are these differentials because of the municipal utilities existing in this province that have complicated the options that would be available in terms of policy consideration.

I know the Leader of the Opposition would not pursue this tactic at all, but we have had discussions and will be having further discussions with the Ontario Municipal Electric Association. OMEA is opposed to this policy. I am sure some of the members opposite have been contacted and have had that point of view expressed to them. I am sure the member for Halton-Burlington (Mr. J. Reed) has had the representation made to him. I would assume so, as he is the energy critic for the Liberal Party. Perhaps the member for Lincoln (Mr. Hall) and one or two others also have had that representation. They are expressing the concern that this goes to the basic policy of Hydro, under the legislation, of "power at cost." We have to have further consultations with OMEA after the report comes in.

To sum up, the report will be in this fall in spite of OMEA's reservations—I think that is a fair word to use. In spite of the complexity of whatever policy emerges, the commitment is still there. We are going to have a policy to reduce the differential between the urban and the rural rates for electrical supply here in Ontario.

**Mr. S. Smith:** Since the people in the rural areas are aware that actions speak a lot louder than promises, will the Premier try to explain to this House why it is that, having declared a policy of reducing the gap between rural and urban hydro rates in this province, Hydro has gone ahead with a new rate system which increases that gap in direct contravention of the desires of the government of the day?

Why was it that the Premier did not see to it that this fall's increase was done on a different basis to actually lessen that gap so our rural customers would not continue to have to pay such unfairly high rates? Why did he not have enough clout with Hydro to

keep the promise he made to the people instead of simply reiterating his promise while the matter gets worse year by year?

**Hon. Mr. Davis:** That is a pretty weak supplementary. I have already explained it, but I will go through it again.

**Mr. S. Smith:** The Premier got the headlines he wanted when he made the statement.

**Hon. Mr. Davis:** And doesn't that upset the Leader of the Opposition!

The promises this government makes, it keeps. I do not go around this province making irresponsible statements.

**Mr. Martel:** What about two trees for one?

**Hon. Mr. Davis:** What is more, two trees for one will soon be three trees for one. I will tell the Leader of the Opposition something else; I do not go around the province making promises of a different nature in every part of the province I visit. I do not do that sort of thing. Now, can I get back to the question?

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Davis:** Mr. Speaker, I am trying not to be interrupted by the members opposite.

**Mr. Speaker:** Perhaps if you spoke to me—I can hear you quite clearly.

**Hon. Mr. Davis:** Mr. Speaker, can I speak to you as a reasonable man? I thought I explained it very carefully in the answer to the first question. I will explain it again.

In April, on whatever date, I asked the Minister of Energy to get a report from Ontario Hydro as to what policy might be developed to reduce the differential. The statement made it quite clear that we expected the report this fall. Fall started on whatever date in September. My understanding of the calendar is that we are still in the fall; is that a correct assumption? I am not offending anybody, am I? I assure the members of the House that we will have that report.

I think the statement went on to say we would then implement the policy as soon as possible to reduce the rate differential. I point out again, this is the time of the year when Ontario Hydro has to notify its customers of the proposed rates. If the Leader of the Opposition looks at it carefully and checks with his own experts in the field, he may find that at 9.3 per cent, which is the increase in the bulk or wholesale rate to the utilities, when that is translated to take into account their own municipal costs, the differential that



now exists will not be exacerbated by the announcement of Ontario Hydro today. That is the wholesale price. The price increase announced for the rural power is the retail rate.

**Mr. S. Smith:** The retail rate is 11.2 per cent.

**Hon. Mr. Davis:** I know the Leader of the Opposition has trouble comparing apples and oranges. One is the retail rate one is the wholesale rate.

**Mr. S. Smith:** It is 11.2 per cent.

**Hon. Mr. Davis:** The other point I want to make abundantly clear—do not be so impatient—is that the commitment stands. We will be reducing the differential of rates between the urban and rural customers here in Ontario. It is not easy, it will be complicated and I will be delighted to share some of the opposition to it with some of the people across the House, because there will be opposition to it. The Leader of the Opposition will still be across the House when that happens.

**Mr. Roy:** Mr. Speaker, can I raise a point of order? You know the great respect I have for the chair. Under the standing orders, it is stated, "In a debate the member shall be called to order by the Speaker if he persists in needless repetition." That is exactly what we have had. I say to you, Mr. Speaker, he should be brought to order.

**Mr. Speaker:** If you check Hansard, I think a lot of the content in the supplementary was an integral part of the original question.

**Mr. Wildman:** Mr. Speaker, a supplementary: Can the Premier assure those rural customers who are served by the private utility companies, such as Great Lakes Power in the Algoma district, that whatever policy is established by the government to lower the differential between the rural and urban rates will also affect those private utilities whose rates are somehow related to those of Ontario Hydro?

**Hon. Mr. Davis:** Our jurisdiction does not extend to that. I am quite prepared to ask the Minister of Energy to have a look at it, but my recollection is that our jurisdiction does not extend to the private power utilities, of which there are two or three left in the province.

**Mr. J. Reed:** A supplementary, Mr. Speaker: I would like to ask the Premier whether this report, when it comes down this fall, will recommend the means by which the reduction will be accomplished, understanding that the Power Corporation Act does not provide for

any government imposition or for any social consideration by Hydro.

3 p.m.

**Hon. Mr. Davis:** I am really delighted to have such a reasonable question. I wish the member would consult with his leader; that is one of the problems.

Of course we know what is in the act. That is why we have had discussions with the Ontario Municipal Electric Association people. I am surprised they have not consulted with the member. They know this is a problem; so I am delighted to answer the question of the honourable member. Yes, I know the problems that are there. I can also tell him the report we get will recommend those ways in which we might solve those problems. Otherwise, why have a report?

**Mr. MacDonald:** The Premier will agree that it is an obligation of Hydro to live within the framework of policy statements laid down by this government. Will he explain why, when the Minister of Energy said last October that in the next 15 years we would have 2,000 megawatts of hydraulic power developed in this province and 1,000 megawatts of new power from Onakawana, seven months later Hydro brought out its expansion program and totally ignored the government's policy?

Will the Premier also explain now, if he has indicated that differential is going to be reduced, why it is not an obligation of Hydro to live with the spirit of the new policy while the substance of it is being evolved?

**Hon. Mr. Davis:** Mr. Speaker, with great respect, I do not think the first part of the supplementary is a supplementary to the main question.

**Mr. MacDonald:** It is showing they are ignoring your policy statements.

**Hon. Mr. Davis:** I am saying very respectfully, I think it is a totally separate issue, but I am delighted—

**Mr. MacDonald:** They are ignoring your policy statements. That is the point I am raising.

**Hon. Mr. Davis:** No, no. I would say to the member for York South, he asked me specifically about the expansion plans of Ontario Hydro and why Onakawana was not included in certain hydraulic sites, which has nothing to do with the first question. However, I will attempt to answer it anyway.

As I recall the policy, it covered a 15-year period—is that right?

**Mr. MacDonald:** That is right.

**Hon. Mr. Davis:** I think it is fair to state that one cannot say that within that 15-year period context Ontario Hydro will not be doing some of the things suggested in the statement that was made.

Dealing with the second part of the question, which in fairness was a supplementary to the main question, I would say to the member for York South exactly what I said to the Leader of the Opposition through the Speaker and more latterly to the Speaker because the Leader of the Opposition didn't want to listen to me. Very simply, any member in the House, particularly the member for York South, should know the complexity of this matter. He can visualize some of the alternatives which in themselves are going to be difficult in terms of policy. Ontario Hydro has to announce its rates. They also know that is a matter of government policy; they understand and expect it. They know we are going to be committed to a reduction in the rate differential.

The report will be here. I will be delighted to have the comments from the member for York South when he reads the alternatives that may be in the report as to how we can achieve this objective because, more than likely, it cannot be done within the present framework of the act, and it will require certain other policy considerations.

**Mr. MacDonald:** Mr. Speaker, on a point of order: I do not intend to have my position distorted as it was by the Premier. I drew to his attention that, seven months after they had announced their policy that by 1995 we would have 2,000 megawatts of new hydraulic power and 1,000 megawatts of Onakawana power. Hydro defiantly ignored that policy statement.

**Hon. Mr. Davis:** Mr. Speaker, we have not reached 1985, and I can only say to the honourable member that he might ask the Minister of Energy. I cannot comment on some of the hydraulic aspects.

**Mr. MacDonald:** I can, because I know.

**Hon. Mr. Davis:** I have to tell the member that very recently I have had discussions with respect to Onakawana—

**Mr. MacDonald:** Sure. But seven months after your policy statement they had ignored it.

**Hon. Mr. Davis:** Don't get so excited. I am just saying to the member, I have some specific knowledge of the one, Onakawana, and I am telling him, Onakawana is not turned off.

**Mr. MacDonald:** I agree.

**Hon. Mr. Davis:** All right; so don't get so exercised. Control your blood pressure.

## NUCLEAR WASTE DISPOSAL

**Mr. Cassidy:** Mr. Speaker, I would like to inject a note of calm into this debate after what has been coming from the other parties.

I would like to direct a question to the Minister of Northern Affairs about some unusual policy statements he has been making in the press in Kenora. Will the minister clarify his statement to the press yesterday that northern Ontario has an obligation to store nuclear waste? Was he enunciating his policy or the policy of the Ontario government? Would the minister like to backtrack now, or later?

**Hon. Mr. Bernier:** Mr. Speaker, I happen to have a copy of the article here, and the honourable member should have been so kind as to read the second paragraph of that story, which reads, "If the province is committed to nuclear power, then it has to look after the waste and store it somewhere in the province." That is what I said. We in northern Ontario have no greater obligation to look after nuclear waste than any other part of this province has. That is very simple.

**Mr. Cassidy:** Since the article went on to say, "Because northwestern Ontario imports electricity 24 hours a day from southern Ontario"—a statement that is factually incorrect—"it has an obligation to store some of the waste," will the minister now answer my initial question: Is this his policy or is it government policy that the waste should go into northwestern Ontario?

Why is he suggesting that so much waste should go to northwestern Ontario when 99 per cent of the power is generated in the south and presumably, therefore, at least 99 per cent of the waste should be in southern Ontario according to his particular principle? Has the minister not made himself aware of the fact that the cabinet would be considering the future directions of research because of the criticism that the select committee has directed, from all three parties, at the work of the researchers, who have not even begun to prove that the stuff can be buried in the north or anywhere else?

**Hon. Mr. Bernier:** Again, the honourable member fails to read the article where I said I would leave it up to the experts to find the best possible location.

Interjections.



**Hon. Mr. Bernier:** Certainly; it is all there. What the members interpret is up to them, but I want to make it categorically clear, abundantly clear, that northern Ontario does not have any greater obligation to look after nuclear waste than any other part of this province has. That is very clear. It is there in the article. Read what is in it.

**Mr. T. P. Reid:** Supplementary, Mr. Speaker: Do I take it from the minister's response that he is categorically denying that he said northwestern Ontario should accept nuclear waste?

**Hon. Mr. Bernier:** Yes. I did not say that northwestern Ontario is obligated to look after nuclear waste. It is clear as a bell. The second paragraph of the article states that. Read the article.

**Mr. Foulds:** Supplementary, Mr. Speaker: Can the minister then explain the second half of the sentence, which my colleague pointed out to him, "Because northwestern Ontario imports electricity 24 hours a day from southern Ontario it has an obligation to store some of the waste"? How does he account for that statement?

Does he not think as the Minister of Northern Affairs it would be more in his line of duty to persuade Ontario Hydro to proceed with the completion of the hydro plants at Thunder Bay and Atikokan so that northwestern Ontario was self-sufficient in energy and not need to rely on the wavering tie lines between Manitoba and northwestern Ontario on the one hand, and the weak tie line between the huge, overpowered eastern grid and the underpowered western grid?

**Hon. Mr. Bernier:** The honourable member is fully aware of the fact that we in northern Ontario are dependent on nuclear power that is generated in southern Ontario.

Interjection.

**Hon. Mr. Bernier:** We are, and he knows we are. We are importing electrical power into northern Ontario on a regular basis; so our obligation to look after nuclear waste is not any greater or any less than that of any other part of this province.

#### TOMATO PROCESSING

**Mr. Cassidy:** Mr. Speaker, I have a new question for the Minister of Industry and Tourism about lost jobs in the food industry. I would have liked to have had a bag of products to show the minister, but I cannot at this time.

Can the minister explain why the brand names of independent Canadian processors of

canned whole tomatoes—brand names such as Cherry Valley, Connelly, Innes, Terio, Utopia, Hillside and others—have disappeared from the shelves of Toronto supermarket chains while 40 per cent of the Canadian market for canned whole tomatoes is met by imports, with a loss of sales to Canadians of \$16 million and the loss of more than 600 jobs in Ontario?

3:10 p.m.

**Hon. Mr. Grossman:** Mr. Speaker, before I give an answer to that question, we have a special guest in the gallery today. I wonder if the House would join me in welcoming Dr. Jose Andres de Oteyza, Minister of Patrimony, Natural Resources and Industrial Development for Mexico. Mr. de Oteyza is here to study our electrical and nuclear energy capacity in this province.

With regard to the question asked by the leader of the third party, I would have to refer that to my colleague the Minister of Agriculture and Food.

**Mr. Speaker:** Does the Minister of Agriculture and Food have the answer to that question? It has been referred to him by his colleague the Minister of Industry and Tourism.

**Hon. Mr. Henderson:** Mr. Speaker, I was speaking to my colleague about another problem. Will he repeat the question, and I will be very glad to answer.

**Mr. Cassidy:** Yes, I will repeat it. I would say to the minister that I notice the Conservative government wants to disband Petro-Canada. I want to say to my friend from Mexico that the Mexican government, in having a state-owned oil industry, has been much more perceptive than the government of Canada or the Conservative Party.

Can the Minister of Agriculture and Food explain why it is that the products of the independent Canadian processors of whole tomatoes—such brand names as Cherry Valley, Connelly, Utopia and Hillside—have disappeared from the shelves of Toronto supermarkets when 40 per cent of the market in Canada for whole canned tomatoes is met by imports, with a loss of millions of dollars of production and more than 600 jobs?

**Hon. Mr. Henderson:** This goes back to our embargoes on imports. It goes back to the fact that the government of Canada, up until May 18 last year, ignored the legislation. On February 1 of this year, the government of Canada doubled that embargo. We have companies now in Ontario that have made representations to this government, and we

have granted money through our incentive fund for the factories to can and come out with these tomatoes. That happened earlier this year. The Treasurer (Mr. F. S. Miller) could give us the exact date, no doubt, but in May or June we granted certain moneys to canning plants. We are now working towards the goal of self-support.

**Mr. Cassidy:** Since 28 of the 51 canneries that were canning tomatoes in this province 15 years ago have shut down, can the minister explain what good it is to have a little bit of money going into a few canneries now if the remaining independent canneries cannot get their products on to the shelves of supermarkets, therefore cannot sell them and therefore cannot create jobs for Canadians?

**Hon. Mr. Henderson:** I have responded to the honourable member. Our import laws and the cheap labour across the border made it possible for the other countries to ship their canned tomatoes here cheaper than our farmers could produce them. They come in from across the border cheaper. As I say, on February 1 of this year the government—

**Mr. Bradley:** Were they shipped in cheaper?

**Hon. Mr. Henderson:** Yes. They were shipped in cheaper than our farmers could produce them.

**Mr. Mancini:** Supplementary, Mr. Speaker: Is the Minister of Agriculture and Food aware that in the Essex county area there are many tomato farmers who could more than meet their quotas they have with the canneries, that there are many farmers who are waiting for quotas and that there are many farmers who could expand the acreage they have planted but they cannot do this because they do not have a market to send the raw products to? Why do the Minister of Agriculture and Food and the Minister of Industry and Tourism not help encourage more manufacturing of that product right in Essex county where there are people willing to supply it?

**Hon. Mr. Henderson:** If the honourable member studied his own riding, I am sure he would find that the grant to which I make reference went to the industry right in his riding at the little town of Raven.

**Mr. Cooke:** Supplementary, Mr. Speaker: I would like to ask the minister why it is that between 1971 and 1979 tomato production only went up eight per cent in this province whereas imports went up 79 per cent. Do the minister and his government not recognize that this involves literally hundreds of jobs and millions of dollars of imports

into this province when we should be aiming at import replacement?

**Hon. Mr. Henderson:** I have been answering that all the time. The protection for the people of Ontario has not been there in the import laws. The embargo was doubled last February 1, and that has helped to correct the situation, but it goes back to the fact that there is not sufficient protection in the import laws for the farm people.

## HYDRO RATES

**Mr. Sargent:** Mr. Speaker, I have a question for the Premier. We are talking about the recovery of \$305 million, the shortfall this year for energy, the reason for Hydro to increase the rates. I am more convinced than ever that, regardless of what the Premier does or says, Hydro will go its own way. We do not have much faith in his statement that he is going to keep the promise he made this spring to the farmers. In fact, six months ago, he said 770,000 real farmers would get a reduction. But now he is raising the rates—

**Mr. Speaker:** Put the question.

**Mr. Sargent:** I am setting up the question.

This government has repeatedly defeated my lifeline bill. I am asking about the recovery of the \$305 million. We have had a report today from Canberra, Australia, that Denison Mines is buying a 50 per cent equity in uranium properties down there with \$339 million the Premier advanced the company for 40 years at no interest rate.

**Mr. Speaker:** What's the question?

**Mr. Sargent:** How in the hell can he take our money and buy properties down there when he is raising the rates to the consumers here in Ontario? How can he do that?

**Hon. Mr. Davis:** Mr. Speaker, I tried to follow very carefully both the setting up of the question and ultimately the question. I will try to answer both the setup and the question.

My understanding of the question is that it was about rates. If the honourable member were to check very carefully, I think he would find the rates that have been announced by Hydro—I do not know they are that recent, as a matter of fact—those rates have been approved by the Ontario Energy Board, the distinguished group of people who reflect on and establish the rates that Ontario Hydro is charging.

**Mr. MacDonald:** It's only a recommendation.



**Hon. Mr. Davis:** Hydro very rarely goes over their recommendations. Have they in this instance?

**Mr. Speaker:** Just ignore the interjection, please.

**Hon. Mr. Davis:** Okay, Mr. Speaker. I would say to the honourable member with the greatest of respect that there is this problem of the differential. We are committed to the reduction of the differential; it will happen.

I would ask the honourable member to look at, say, an average rate increase. I am not defending Ontario Hydro or the Ontario Energy Board. However, what the reliability of nuclear power means in terms of cost to the consumers of this province is, in my view, increasingly emerging as a very positive economic factor.

I suggest that the member take an average of the price increases for the rates this year, compare it with those of most other utilities in North America, both private and public, and he will find that the rate increases are very competitive. In fact, my guess would be that probably Hydro's average will be one of the lowest on the continent.

**Mr. Sargent:** The Premier has failed to answer my question. The fact is, he is going to increase the rates to the small home owners, people on fixed incomes, the poor, by about \$60 a year because he cannot recover \$305 million here. If he can lend money to Denison on a 40-year contract with no interest, why can he not protect the home owners of this province and the real people first?

3:20 p.m.

**Hon. Mr. Davis:** I think we have done very well in terms of protecting not only the home owners but also the rural community. I think we have done very well in terms of people on fixed incomes.

I would just point out that the rate increase, unlike those of most utilities, as I read the figures, will be less than the probable rate of inflation. The member will not find many utilities that have managed to do that in the past three or four years.

I say to the member that, in terms of Hydro's responsibilities, we think it is running an efficient operation by any measure. I do not say it represents perfection. I do not say that Ontario Hydro does not make a mistake. But if anyone who has served on the select committee can honestly and objectively tell me that Ontario Hydro does not run as good a store as any other utility in North America, I would love to have him come forward and tell me who they are and where they do it.

**Mr. Nixon:** That was not what he was talking about.

**Hon. Mr. Davis:** He was talking about the rates generally; he was talking about home owners. I said we would reduce the differential. Let us not play games. We said we would reduce the differential in rate. That is what we said we would do.

**Mr. S. Smith:** On a point of order, Mr. Speaker: It seems to me the Premier just said a little earlier that the rate increase in Ontario was less than in comparable jurisdictions. I remind him that in Manitoba the rates have been frozen at the 1979 level and there will be no increase whatever until 1984.

### HOSPITAL FUNDING

**Mr. Foulds:** Mr. Speaker, I have a question for the Minister of Health. Is the minister aware of the difficulties created by the projected current operating deficit of \$700,000 of McKellar General Hospital in Thunder Bay, which is causing enormous pressure on staff, administration and especially patients in the hospital?

In particular, is he aware that all 296 beds in the hospital are filled each night, usually by 3 p.m.; that there is enormous pressure on the emergency and intensive care units; that many inpatients have to spend two to three nights in emergency; that three acute cases, such as heart attacks and automobile accidents, usually spend the night on stretchers instead of in beds; that as a minimum at least 70 patients a month spend overnight on stretchers; and that many patients have two- or three-night stays on stretchers?

**Hon. Mr. Timbrell:** Mr. Speaker, I would remind the member that 50 chronic care beds have been approved for Thunder Bay and are in the process of being added—25 for a psychogeriatric unit at Lakehead Psychiatric Hospital and 25 as a chronic care unit at McKellar General Hospital.

Secondly, I would point out to him that in a great many of these cases where there is an ongoing pattern of utilization of emergency that indicates a problem of people being detained, it seems to me that can be accommodated in the discharge and admission planning of the hospital so that should be kept to a minimum.

Thirdly, I would say to him that we have been in discussions with the McKellar General Hospital to look at their budget submission, which includes increases in staff for administration and housekeeping. In those areas of the hospital budget where increases in patient

activity have necessitated unavoidable increases, we will be making allowances in their budget. We should be giving them an answer in the next week or two.

**Mr. Foulds:** Does the minister not admit that, welcome though the 50 additional chronic beds are, the need is for approximately 150 chronic care and nursing beds? Does he not admit that an increase in chronic beds does nothing to relieve the pressure that is on the hospital now, especially as it is the trauma centre for Thunder Bay and therefore receives most of the car accidents and traumas? Will he not also admit that, whatever the cause and whatever the reason, the funding needs to be found to supply the hospital beds for that hospital right now while the patients need them?

**Hon. Mr. Timbrell:** I would point out to the member that if he would compare that city and its population to a city of the same population in southern Ontario, that city has 15 per cent more beds than it would have in southern Ontario, but we do make an additional allowance in our allocations for northern Ontario.

Secondly, I do not accept the member's theory that these chronic beds will not relieve pressures on the hospital. Otherwise, why add them? Yes, they have the CAT scanner there; yes, they have the neuro-surgical team there. Therefore, they receive head injuries, whether from car accidents, industrial accidents or whatever.

**Mr. McClellan:** We heard the same thing in June 1979. The minister has done nothing in a year and a half.

**Hon. Mr. Timbrell:** Why is the member for Bellwoods yapping so much? He does not want to listen to any of the facts; he never wants to listen to the facts. He never wants to listen to anybody but himself. He probably puts an echo in his office so he can listen to himself again.

**Mr. McClellan:** You should resign. You are inept.

**Hon. Mr. Timbrell:** The chronic beds that have been added, along with the 100 nursing home beds that have been added to Thunder Bay and have been operational for a little over a year and a half now, are designed to effect a proper balance in the beds available.

**Mr. Conway:** Supplementary, Mr. Speaker: On a similar note, in a different hospital, I am wondering if the Minister of Health—

**Mr. Speaker:** Order. We were dealing specifically with McKellar General Hospital in Thunder Bay.

## CONSTITUTIONAL REFORM

**Mr. G. Taylor:** Mr. Speaker, a question of the Premier: As a member of the select committee of this Legislature on constitutional reform, I have seen recently that the federal government has instituted closure. I understand that is the term used. Could the Premier comment on that?

Getting back to the problem regarding the discussion of our report as submitted, will we be given adequate time in this House to discuss that report, as has not been done at the federal level?

**Hon. Mr. Davis:** Mr. Speaker, the honourable member has raised two questions. I gave a commitment to the House, in response to observations made by the member for Riverdale (Mr. Renwick) if memory serves me correctly, that I hoped we would spend sufficient time here in this House discussing the report from the committee.

With respect to the first question, I am not nearly as familiar with the rules of the House of Commons as I am with the rules, and on occasion their breach, here in this particular Legislature.

Interjections.

**Hon. Mr. Davis:** Mr. Speaker, do you know what the problem is? The members opposite think they have the right to tell all the gloomy stories and make all the criticisms. When we try to tell the public what is really going on, they get upset. I have never quite understood that.

I heard of this last evening and read the decision in the press this morning. Those of us who are fairly close to the process understand that this motion is to send the resolution to committee where there will be opportunities for a much more prolonged and definitive debate.

At the same time, the public perception of this issue is also important. I say that very objectively, without in any way diminishing my support for the resolution. Because the resolution can stand on its merits, I think an effort should be made to see that there is sufficient opportunity, in terms of the public understanding, for the debate on the referral of the resolution itself. It may be too late—as I say, I am not sufficiently familiar with the process—but it could be debated tomorrow. Maybe it is being debated tomorrow and on Monday, up until the time of the budget.

I would suggest that on this issue there is merit in not creating the impression with the people of this country that there is any



attempt by Parliament to limit the discussion. That is a point of view I have expressed, without cabinet meetings or anything else. I am just concerned about the perception.

3:30 p.m.

In answer to the honourable member, I would hope the government of Canada might reassess and see if it could provide, up until the budget perhaps, a further period for discussion of this important issue. It is not just what the internal function of Parliament is, it is the perception that people have outside. On this issue, I think it would be helpful if there were a further period of time for this debate, and that is a personal point of view.

**Mr. Roy:** Supplementary, Mr. Speaker: Just in the interest of correcting any confusion with the public out there, does the Premier disagree with the statement made on Metro Morning today by his Minister of Intergovernmental Affairs (Mr. Wells), who said basically exactly the opposite, that the motion for closure in the federal House in all the circumstances was perfectly justified?

**Hon. Mr. Davis:** Mr. Speaker, if the honourable member wants to play games that is all right. I just talked to the Minister of Intergovernmental Affairs and I know the points of view he expressed in the context of the way the question was asked. I have been asked a similar question by the distinguished member for Simcoe Centre (Mr. G. Taylor) and I am expressing a point of view which is not at all inconsistent with what the Minister of Intergovernmental Affairs said, that in fact there is opportunity when the resolution goes before committee. Perhaps the public is not aware of just how detailed that discussion can be, but then I assume the honourable member also agrees with me that on this issue, and this is where I think it is important—

Interjections.

**Hon. Mr. Davis:** Listen, don't point fingers at Tom—

**Mr. S. Smith:** He said the opposite.

**Hon. Mr. Davis:** He did not say the opposite, and if the honourable member is saying the opposite, then let him say so. Is he saying the opposite? What is his point of view?

**Mr. S. Smith:** I heard him this morning.

**Hon. Mr. Davis:** I have just explained my position. I have made it very clear and I will enunciate it. I assume, as we have had unanimity on all these issues, that the Leader of the Opposition will join in in these observations.

**Mr. S. Smith:** I will join Mr. Wells.

**Hon. Mr. Davis:** All right then, the Leader of the Opposition says—

**Mr. S. Smith:** Whatever he said this morning, I heard him. I will join Mr. Wells.

**Hon. Mr. Davis:** Oh no. The Leader of the Opposition will never join Mr. Wells. He does not have the care, the same talents, the same abilities, the same sensitivity and he doesn't have his humility or modesty, that is why he will never make it.

## ASSISTANCE TO PULP AND PAPER INDUSTRY

**Mr. Gaunt:** Mr. Speaker, I have a question of the Minister of the Environment. Why did the ministry not establish a pollution priority list for the pulp and paper mills under the employment development fund so that the grants under that program could be targeted to clean up the worst polluters?

**Hon. Mr. Parrott:** We had, as you know, Mr. Speaker, a small discussion on this the other day. That list, and I repeat now, was not a priority list per se. We were able to accede to all the requests that we received from the pulp and paper industry and to give them the assistance they thought was required to do the job of cleaning up the pollution from those plants.

But that was only part of the program. That is where I think the member's list concept perhaps might need some clarification. We do not need someone on a list. If there is a pollution problem, we can address it not just through the program that was devised by the Treasurer (Mr. F. S. Miller) but indeed by the control orders. To think of that in isolation does not take the total perspective that we have towards pollution from the pulp and paper industry.

**Mr. Gaunt:** Supplementary: Since the employment development fund was sold as a modernization and environmental cleanup program—two aspects to it—is it possible for a pulp and paper company to receive a grant under the program without regard to the need of that company's mill to install pollution control equipment?

**Hon. Mr. Parrott:** No, it is not. They must do that, but the point that I repeat again is that all of the companies that wished to come under that program were indeed accepted. They did have to make the commitment to do the pollution cleanup that was required on each individual situation. In addition to that, we have control orders on other companies

that chose not to come under that particular program of the Treasury.

**Mr. Gaunt:** Supplementary: Would it be fair to ask the minister what mills got what amounts for what problem?

**Hon. Mr. Parrott:** I think I made it clear the other day that we will tell the members the amounts for the companies but not for the specific mills.

**Mr. Gaunt:** Will the minister tell us what companies got what amounts?

**Hon. Mr. Parrott:** If the member wishes the list we will be more than happy to give it to him so he can see for himself. The list itself is there. I have no hesitation in having him see the list, provided he fully understands the comments I made previously.

**Mr. Speaker:** The time for oral questions has expired.

### ALLOCATION OF QUESTIONS

**Mr. Di Santo:** Mr. Speaker, I have a point of privilege. Today we had 45 minutes of the question period for the two leaders of the opposition with only one other question on this side and one question on that side. The same thing happened on Tuesday.

I understand we are in a pre-election time and the leaders need a high profile, but there are other members who may have important questions as well. I would like to ask whether we should dispense with coming here during question period or, three or four months down the road, we should be assigned time to ask our questions.

I am fifteenth on the list in my caucus. My question may be important for my constituents but at this speed I may have to ask my question in April. I would like the Speaker's direction.

**Mr. Conway:** In speaking to that point of privilege, I want to associate myself entirely with my good friend from Downsview because, as you know, Mr. Speaker, I try in my own way to abide by the rules of this House. I was at the top of our list to ask a question today and I was disadvantaged. I do not believe, sir, that it was anything other than the calculated abuse of this question period by the Minister of Industry and Tourism (Mr. Grossman) who came in here to give us a curious hybrid of political expectation and by-election bilge in the interest of his candidate in Carleton. About that, and for that, I remain very unhappy.

**Hon. Mr. Davis:** Speaking to the point, I do not want there to be any misunderstanding. I did not hear all of the minister's state-

ment, but I understand it was an excellent statement. I think the member for Renfrew North is being very unfair. I keep an eye on the clock. The clock did not start to run for the question period until the minister was finished.

I want to associate myself with the two members opposite who spoke. If they would speak to their two leaders to limit their questions in the question period, certainly the question period would—

**Mr. Martel:** Before the Premier leaves, if the Speaker would be prepared to look at some of the garbage that we get for answers, which run for seven and eight minutes to answer a simple question, we could get some questions asked by the back benchers.

**Mr. Speaker:** The standing orders in this assembly are not the property of the Speaker or any presiding officer. They are the property of all members of this assembly. If the members want me to be more specific in the way in which I allocate the one hour that is allotted for questions and answers I would be happy to abide by them. We do have a procedural affairs committee, and if the members are not satisfied with the rules, just say so and we can refer it to the committee.

**Mr. Conway:** I am dissatisfied.

**Mr. Speaker:** I know the member is dissatisfied. I am dissatisfied. They are the members' rules and not mine.

3:40 p.m.

**Mr. Conway:** On a point of privilege, Mr. Speaker, I feel obligated to say this. I greatly respect what you have just told us. I simply say that if we are going to be here on Tuesdays and Thursdays to hear one half an hour of ministerial statements, as is often the practice, that is fine with me. I understand that. I just do not want to see various and sundry people from the Treasury bench high-tail it to the door at 10 after three feeling they have discharged their hour-long obligation. In that respect I do not agree with them.

**Mr. Speaker:** All members, including cabinet ministers, are answerable to their constituents for the way in which they spend their time.

### REPORTS

#### STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Hodgson, on behalf of Mr. Cureatz from the standing committee on general gov-



ernment, presented the following report and moved its adoption:

Your committee begs to report the following bills with certain amendments:

Bill Pr21, An Act respecting the City of London;

Bill Pr36, An Act respecting the Town of Midland;

Bill Pr38, An Act respecting the Borough of Etobicoke.

The committee begs to report the following bill without amendment:

Bill Pr39, An Act respecting the City of Ottawa.

Report adopted.

### STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Villeneuve from the standing estimates committee reported the following resolutions:

That supply in the following amounts and to defray the expenses of the Ministry of Industry and Tourism be granted Her Majesty for the fiscal year ending March 31, 1981:

Ministry administration program, \$4,505,000; policy and priorities program, \$2,229,000; industry development program \$22,908,000; tourism development program, \$20,298,000; Ontario Place corporation program, \$2,000; industrial incentives and development program, \$23,948,000.

That supply in the following amounts and to defray the expenses of the Ministry of Industry and Tourism be granted Her Majesty for the fiscal year ending March 31, 1981:

Ontario Place corporation program, \$1,026,000.

### MOTIONS

#### ESTIMATES

Hon. Mr. Wells moved that the supplementary estimates of the Ministry of Natural Resources tabled today be referred to the standing committee on resources development for consideration within the 23 hours allotted for the main estimates.

Motion agreed to.

Hon. Mr. Wells moved that time for the consideration of the estimates of the Ministry of Housing be reduced to five hours and time for consideration of the estimates of the Ministry of Labour be reduced to 15 hours.

Motion agreed to.

### ANSWERS TO QUESTION ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, I would like to table the answer to question 256 and interim answers to 283, 284, 299, 300 and 306 standing on the Notice Paper. (See appendix, page 3682.)

### RESPONSE TO PETITION

Hon. Mr. Wells: Mr. Speaker, I wish to table the response to a petition presented to the House, sessional paper 221. (See appendix, page 3683.)

### ORDERS OF THE DAY

#### PRIVATE MEMBERS' PUBLIC BUSINESS

#### FULL EMPLOYMENT ACT

Mr. Lupusella moved second reading of Bill 155, An Act respecting Full Employment in the Ontario Economy.

Mr. Lupusella: Mr. Speaker, before debating my bill, I would like to show some sense of frustration in regard to the time which has been taken by the Minister of Industry and Tourism (Mr. Grossman) to give us a lecture about the economic situation in Ontario. In my opinion, he stated that his government actually is not at present committed to creating full employment in Ontario but it has the long-range goal to achieve such a situation. He took 25 minutes of the question period to give us something that was not appropriate on the floor of this Legislature.

At any rate, I take great pleasure in debating the first of three bills which the New Democratic Party is putting forward to guarantee the economic rights of the people of Ontario.

In these times of economic uncertainty, it is essential that the government of this province bring in legislation that will extend and protect the economic rights of the people of Ontario. Our economic rights are being eroded and taken away. As Ontario loses economic opportunities, the present government either stands idly by or engages in stopgap measures. It has been more effective in protecting investments and profits than it has been in protecting jobs. The workers of Ontario need to know that the government is doing everything within its power to ensure them security in their jobs and to ensure jobs for their children.

The principal goal of this bill is to make the government commit itself to pursue aggressively the goal of full employment. This government may say that full employment has been its goal, but its actions speak otherwise. With more than 300,000 people unemployed, we cannot go on blaming the federal government. We can no longer wait for the American recession to bottom out. We can no longer wait for some new developments in the energy field to solve our problems. Ontario workers deserve more. They deserve action by their provincial government to ensure that they have the right to have a job.

At our convention in Guelph in June, the New Democratic Party adopted a comprehensive industrial study which would revive and revitalize our manufacturing sector. The NDP strategy contained concrete plans which would put us on the road to full employment. By adopting our strategy, we would be giving the workers of Ontario new hope. We would be letting the young people of the province know that the government was doing everything within its power to create employment opportunities.

The present government does not have an employment strategy. It has been ad hoc in its approach. It has pandered to the multinationals in the belief that if things go well for the multinationals things will go well for Ontario. The 46,000 workers laid off this year are testimony to the failure of that policy. This bill requires the government to bring forward its analysis of the barriers to full employment, to provide specific plans to overcome these barriers and make it possible for every person willing and able to work to get a job. The government will be judged on its effectiveness in providing employment opportunities.

The bill specifically addresses problems of disadvantaged groups and requires the government to detail its plans to deal with their special problems. Thousands of Ontarians through no fault of their own have greater difficulty getting work than others. I refer specifically to women in job ghettos, to workers who do not speak English, to the handicapped and to workers who live in disadvantaged regions where there is high unemployment. Now is the time for the government to deal with their problems.

The bill also directs the government to look specifically at the layoff problem. Next week my colleague from Cambridge (Mr. M. Davidson) will be bringing forth a bill to protect jobs. This job protection act says that

part of full employment is not only the creation of new jobs, but the protection of existing jobs. Many of those unemployed in Ontario today are unemployed because they have lost their jobs. Of the 91,000 unemployed people in Metropolitan Toronto last May, 46,000 were unemployed because they lost their jobs

3:50 p.m.

That record cries out for a government that deals head on with the problem of foreign ownership and will do something to try to turn around our branch plant economy. There is no future in being a warehouse operation. We must protect existing jobs and plan to create new ones.

It is surprising that the Minister of Industry and Tourism, who was so concerned to deliver his opening statement today in question period, is not here now when we are dealing with this bill. It is of great importance to the workers of this province and particularly to those who are now unemployed. I notice the Minister of Labour (Mr. Elgie) also is not here to follow our concerns. For shame.

My bill also asks the government to be co-ordinated in its use of the public sector. Through Ontario's crown corporations, we have the opportunity to create an employment strategy. We will need the crown corporations in the resource sector and in key manufacturing sectors if we intend to achieve full employment. The Conservative government treats crown corporations as a means of picking up the slack for the private sector. This bill will give Parliament an opportunity to direct the government to use crown corporations as part of a dynamic employment strategy.

Without passing laws or ever seeking the support of the Legislature, Ontario has allowed our resources to fall under foreign control. We have allowed outsiders to own our manufacturing sector and we have undertaxed many of the resources, thereby allowing unnecessarily high profits to be taken out of Ontario. The result of these policies has been a lack of both secondary manufacturing and a lack of opportunities in Ontario.

These things have all occurred without the consent of the Legislature. But they have occurred as a result of the government's policy. This bill would force the government to come forward with its plans and bring them before the Legislature and let us see its exact intentions in terms of providing jobs.

I am talking now about the structures we would use to force the government towards



a real commitment to full-employment policies and the means by which we would judge the government's efforts. The bill is not designed to create a new bureaucracy or more work for parliamentarians; far from it. The goal is to create employment in Ontario and force the present government to admit that it has done too little to achieve full employment and get the Legislature moving on its job of ensuring the economic wellbeing of the people of Ontario.

To illustrate the need for this bill, I can turn to the Massey-Ferguson plant in my riding. Canada has more than 100,000 people employed in agriculture. Farmers spent over \$1 billion on manufactured products in 1979. But under this government, Ontario workers in the agricultural machinery sector have their jobs at risk.

In a planned economy with the commitment to full employment, there would be secure jobs in producing farm machinery. Workers would be spared the anguish that Massey workers have gone through in the last few months. Full employment will not be a result of the Conservative and Liberal governments rescuing multinationals after the Argus Corporation is finished with them. It will be the result of sound economic planning based on the potential of the Canadian market.

I have spoken of Massey-Ferguson because it is in my riding. I could have spoken also of the food processing industry. Where are the 500 food processing plants that closed during the last 10 years? Where is the farm land that this government has allowed to be paved over? How will the people of Ontario have a future in which they are able to feed themselves if Dominion stores carry nine brands of peaches and only one of these brands uses Canadian-grown peaches?

Unemployment is more than a question of economics. It is a question of human dignity. People in Ontario work because they have to, in order to pay their bills and have the things they want. Employment involves doing something that is recognized as worthwhile in society. Employment involves making contributions to your community and to your family. We must commit ourselves to using every possible means to achieve full employment in Ontario.

Unemployment is not caused, as much as this government would like people to believe it is, by people who are idle and people who do not want to work. The Provincial Secretary for Justice (Mr. Walker) suggests most people who aren't working don't want to work. Unemployment is caused by lack of op-

portunity. Surely the example of nearly 20,000 people chasing 2,000 jobs in Windsor is a clear indication that the people of Ontario would like to work.

Most of those who are unemployed in Ontario today are people who lost their jobs. They are people who were working and wanted to continue to work. Sadly, through circumstances they could not control, their companies handed them layoff notices. Their plants were closed down.

In cases like Windsor and Brantford, they had few other choices. The major employers, the companies to whom they had given their life's work, were going out of business. Often the jobs they were doing were simply being moved across the border into the United States or moved into some other country. Those people had no more opportunity in Ontario.

Similar things occur in single industry towns throughout the province; Atikokan is but one of them. Ontario steel companies began buying iron ore interests in Michigan and Minnesota. People in Atikokan who had worked for one company for 30 years found they had no jobs and no opportunities. Their homes lost value. Their family lives were destroyed. They wanted to stay in the towns of their birth, where their friends were. This government has almost no plans to help them.

This bill does not advocate another after-the-fact Band-Aid solution. Rather, it goes to the root of the problem by committing the government to full employment.

We do not need more gratuitous speeches about protection of jobs from government ministers each and every time Massey, Ford, Chrysler and Great Lakes Paper come to the public scrutiny. We need long-term policies to ensure full employment. This government is becoming more sophisticated in bailing out multinationals. The public's money is better spent in building opportunities to free us from dependency on multinationals.

We should plan now for full employment so that we are not in a position of trying to protect the jobs after the owners have mismanaged their investments and say they have no hope unless the public rescues them. Planning in advance could have saved the jobs at Firestone, Prestolite, Houdaille, Essex International and other plants which were closed down in the province this past year.

4 p.m.

The Full Employment Act, 1980, says the government of Ontario must outline where it is going and how it proposes to get there in terms of creating job opportunities in On-

tario. We do not think the solutions will be easy. We cannot turn around in one or two years the way the economy has been structured since 1945. We do say, however, that we must start in 1980 if we want to be in a better position by the end of this decade.

In the field of energy, we have learned what has happened—we haven't managed our energy resources properly. Surely this need not be repeated on our natural resources of northern Ontario or our manufacturing structure in southern Ontario. We must start managing now. This bill says that with proper policies and leadership Ontario can achieve full employment. We can develop our economy to meet our economic and social needs.

The present government is antidevelopment. It needlessly impedes development by leaving it too much in the hands of the private sector. The Premier (Mr. Davis) and his cabinet believe Ontario's future is best planned by foreign multinationals. The Conservatives have no plans for development because they have invited others to do their planning. The present round of layoffs, the high level of unemployment and the uncontrolled inflation show that Conservative government has failed in the past and is failing now.

It is time to plan for full employment. New Democrats challenge the government to use every available means to achieve full employment, get our people back to work, develop plans for orderly economic development, build the jobs for the disadvantaged and make our economy our own. It is time to commit Ontario to full employment now and not in 20 years' time.

**The Deputy Speaker:** The honourable member has two minutes remaining. Does he wish to reserve that?

**Mr. Lupusella:** Mr. Speaker, if I may, maybe one of my colleagues can use the two minutes, or I will.

**The Deputy Speaker:** I am asking you, do you wish to reserve the two minutes?

**Mr. Lupusella:** I will take it

**Mr. Ashe:** No apologies are necessary from this side, Mr. Speaker. We have before us today An Act respecting Full Employment in the Ontario Economy. This particular piece of proposed legislation emphasizes that this province's principal economic goal should be the creation of employment for every resident of the province willing and able to work.

I would like to point out to the member for Dovercourt, and I hope he's listening, that it was nearly 40 years ago—37 to be exact—

when this party made a commitment to the electorate in Ontario, and I quote, "The Progressive Conservative Party in Ontario undertakes to put into effect a program based upon the conviction that under a strong government the vast resources and producing capacity of this province can ensure employment and good wages for all who will work." This government has been doing that for 37 years.

Some years later our government backed this principle with a commitment to job creation in Ontario. In short, full employment in Ontario has been our goal for decades. I am glad to see that the members of the third party recognize this fact but, quite respectfully of course, as usual they are a little late.

For many years we have actively supported the objectives of this particular piece of proposed legislation. The importance of job creation as a major economic goal has never been overlooked, but it must be remembered that the creation of employment is only one economic goal among others. Government restraint, fiscal responsibility—something the members opposite don't know about—as well as the maintenance of good investment opportunities in this province are equally important.

High levels of employment in Ontario can be achieved, but there exist differing views on how best to do this. The members opposite would have the province believe that to achieve this end the government should undertake—and I am again using words out of the bill—"comprehensive economic plans." I need not dwell too long on some of the ideological differences between this government and the members of the third party, but the third party's concept of centralized planning to the last minute detail, relative to our proven concept of rational planning with appropriate action, is certainly one of them.

We have a responsibility to the employed and the unemployed alike. Were we to gauge our entire economic policy only with the goal of higher employment, we would be negligent on a number of other fronts. Economic experience in this country and in many others has shown that too great an increase in the rate of employment could and usually does have serious repercussions on the rate of inflation.

This government remains confident that our efforts to foster the development of new industry, to allow for a fair profit on investment and to encourage the public's dedication to free enterprise will indeed bring about economic growth and employment in Ontario.



This government's record on job creation—a few highlights of which were identified a little earlier in the afternoon session—is a figure often quoted but obviously too often forgotten by the members opposite. Just once again I think the numbers bear repeating.

In 1978, 129,000 new jobs were created in this province; in 1979, 161,000 new jobs were created in this province, and during the past year more than 70,000 new jobs were created. This last figure matches up against the forecast by one of the more notable economic groups, namely the Conference Board in Canada, which said we would create only 10,000 jobs in this calendar year due to the problems of external economies.

To be sure, the opposition benches have been quiet over the decline in the unemployment rate and this government's record on job creation. We have not heard a great deal about recently released employment figures, but then again not surprisingly; it is not a picture of gloom and doom, hence the gloom and doomers fail to mention them.

Despite the increasing numbers of employed workers in Ontario, this bill would have the government of Ontario, and again I quote, "use all available means, including public sector funds, to provide employment." When this government is doing its utmost to control government spending, to keep the cost of government to our taxpayers at a minimum while not sacrificing the level of service, this bill would compel the hiring of individuals at taxpayers' expense. There would be only two possible results. One, of course, is significant tax dollars diverted from equally important programs, the other is major tax increases.

For purposes of illustration, just as an example, if you take the figure of the unemployed as being something in the area of 250,000 and you assume \$10,000 for each job created, you are talking about a further expenditure of some \$2.5 billion—not million. It will result in a need for increased revenue of about \$300 for every man, woman and child in this province; \$1,200 for a family of four, as an example. Frankly, even for the member opposite who brings forth this proposed legislation, this is idealistic and unacceptable.

Again, this bill calls for the government to establish a target date for the achievement of full employment. At this moment I would like to raise the question, just what is full employment? It is a term that means one thing to a group of politicians and yet another to a group of economists. Full employment is not zero per cent unemployment. For

example—and I have many others but I will not refer to them because of time—there will always be individuals between jobs.

I am doubtful of the so-called beneficial effects that the setting of such a figure would cause. Certainly the establishment of priorities is within the capacity of any jurisdiction, but to establish acceptable annual levels of unemployment is to suggest that the economy of Ontario operates without interference from outside our borders.

4:10 p.m.

Let us be realistic and recognize the real world, recognize the situation as it is. We do not operate in a vacuum. We operate with the real world around us. The sooner these members start to recognize that, the sooner they will become a little more rational in their points of view.

I am not downgrading the importance of increasing employment in Ontario but simply pointing out that we are dependent on any number of factors, some of which are beyond the reach of this or any government. This government must maintain a high degree of flexibility to adapt policies to changing economic circumstances, changes which can and do occur.

I have pages of examples of government creation of employment opportunities in the last few years but time will not permit me to go through them in detail. This government's dedication to the employment of our labour force will not be understated.

In the presentation of this bill, no doubt the opposition will charge, in its usual fashion, that we do not care for the welfare of our labour force. The record shows this could not be further from the truth. It is precisely because we, as the government, must recognize the multitude of needs arising in this province that I have raised certain questions regarding this proposed legislation.

If we were to accept this bill as drafted, we would be committing untold millions of dollars to job-creating programs. We would be involved in costly, lengthy and detailed planning of our economic future with little regard for the real world of external changes. We would establish numbers and target dates that would have little effect on the true social wellbeing of this province. As well, and as a personal aside, I think another thing this Legislature needs like a hole in the head is another standing committee.

Professional response to a remarkably similar bill passed by our neighbours to the south indicates that despite all good intentions—and nothing is belittled in that regard—govern-

ment support of full employment would create numerous other problems in the economy and result in a greater expenditure of public funds with perhaps no decline in the rate of unemployment.

A fully responsible government—and we are—will do all within its power to stimulate employment and investment in the public sector. A fully responsible government will selectively intervene if and when the need arises. But to suggest that this economy should be planned and directed, greatly ignores the economic reality.

The real solution to our unemployment picture is to increase investment in Ontario. This is best accomplished through the comprehensive economic policies this government has been following.

**Mr. Mancini:** Mr. Speaker, it is a pleasure to be back from Edmonton and to return to the Legislature to take part in some of the debates. One of the things I notice here in this Legislature is that we seem to have more than one point of view, and certainly that is good for the people of Ontario.

I support the bill that has been introduced by the honourable member. Bill 155. The bill is fairly clear and straightforward. It calls for an economic plan to be tabled, and a committee of the Legislature to be established to debate the economic structure of the province, its development and how that development will take place as far as the area of employment is concerned.

This is a philosophical matter. It is not good enough for the government or for any member of the government to rise in the Legislature and tell us how many jobs have been created this year over last year. The simple facts of the matter are that there are in excess of 300,000 unemployed people right here in our province, almost an eight per cent rate. That is an intolerable level of unemployment.

**Hon. Mr. Maccek:** What are the federal Liberals doing about it?

**Mr. Mancini:** The Minister of Revenue asked me what the federal government is doing about unemployment. I am a member of the Ontario Legislature; I have been sent here by the people of Essex South to represent their views in this chamber. If I had wanted to speak on federal matters, I would have asked them to send me to the House of Commons.

I want to tell the Minister of Revenue, who sits in the cabinet and helps the cabinet make its economic policies and assists the cabinet in dealing with the crucial issue of

unemployment, it is more incumbent on him than on other members of the Legislature, because we do not have the opportunity to sit in cabinet, to say what he is going to do to reduce the unemployment level, instead of trying to do a quick shuffle and blame it on the people in Ottawa.

This government has a budget in excess of \$17 billion, a tremendous budget, and what does it do? They do what my good friend the member for Grey-Bruce (Mr. Sargent) said today, they lend out money to wealthy corporations like Denison for years and years at an interest-free level. That is what they do with their money, and as soon as we rise in the Legislature to say, "Let's use some of this money to assist the unemployed, to make jobs for the unemployed," they scorn our remarks. They should be working on plans to create jobs for the 300,000 unemployed. They should take their responsibility and shoulder it.

In order to get a good grasp of this problem of unemployment, it is not good enough just to view what they do south of the border. It is not good enough just to look and see what plans the governments have or do not have. I believe it is incumbent on us to see how they have dealt with this problem in other parts of the world.

I have looked very closely at the full employment program they have in Sweden. There they have compiled some very interesting and useful programs. The unemployment situation in Sweden runs anywhere from zero to two per cent, depending on when the figures are taken and how they are tabulated and exactly who is doing it. Anyway, they can count on a maximum of two per cent unemployment. This was achieved by government policy. The will of the government was that every person, willing and able, should have employment. We can do the same in Ontario.

It may be impossible for us to make Ontario a photocopy of Sweden. There are many obvious reasons why that cannot be done. But there are many things that can be done. When I was in Alberta this week, the striking difference I noticed between the Alberta government and the Ontario government is that they use their resources in order to expand their economy, in order to create more jobs, in order to start a trust fund for the future. We use our resources to give away to people like Denison and we get nothing back for it. They get the rights and they go away and spend the money on themselves, I take it, or on expanding their corporations, probably in other parts of the world.



4:20 p.m.

The Swedish government has used several policy vehicles to get the unemployment level down to where it is. One of those policy vehicles is the national labour market board and its employment services. Basically what they do is work with the management personnel and they decide how and when people are going to be affected by plant closures or plant shutdowns. Before the closure occurs, the government has a system in place whereby its officials move into the area, not for the sake of getting publicity or having a headline that the government is trying to assist any unemployed person, but it moves into an area for very real reasons. They find out which workers want to relocate and which workers are unable to relocate, and they have planned their employment so they can have an easy transition of workers from one job to another when a particular job is eliminated.

Also, the government allows corporations to put away approximately 15 per cent of their earnings in a fund, and if they do that they do not have to pay income tax on that portion of the money. Then, when the economy is in a downturn, the corporations can use that money to stave off layoffs, to stockpile for other considerations that are necessary to keep the unemployment level at two per cent or less.

One of the most popular programs from the industry standpoint has been Sweden's stockpiling subsidies. Back in 1975, Sweden adopted temporary subsidies for stockpiling of manufactured goods in order to counter-act employment-reducing influences from the world market. During 1975 and the first quarter of 1976 alone, more than 1 000 firms with approximately 250,000 employees applied for stockpiling assistance. The value of the stock reportedly increased during the grant period to more than \$1 billion Canadian. The stockpiling grant was terminated in 1977 when Sweden's normal economic cycle was restored. So we can see here that there is a time when stockpiling can be used for the best interest of the industry.

**The Acting Speaker (Mr. MacBeth):** The honourable member's time has expired.

**Mr. M. N. Davison:** You have become an economic urban cowboy, Reno.

**Mr. Mancini:** The member said a lot of things like that out west, too, that did not make sense out there either, Mr. Speaker.

**The Acting Speaker:** You heard me say the honourable member's time has expired, did you?

**Mr. Mancini:** Are you kidding?

**The Acting Speaker:** No. It has.

**Mr. Mancini:** Are you serious, Mr. Speaker? I am only halfway through my remarks.

**The Acting Speaker:** How can I help it if you have a 20-minute talk to give in a 10-minute period? Your time has expired.

**Mr. Mancini:** Mr. Speaker, I would like to close by saying the Ontario Liberal Party has put forward some statements, and also some private member's legislation. That proposal was outlined in a press conference given by my leader on October 3, 1980. I suggest it would make very interesting reading.

**Mr. Cassidy:** Mr. Speaker, I welcome a chance to speak to the New Democratic Party's private member's bill for a Full Employment Act for Ontario. I only wish we could have a commitment from this government that the bill will go through all of its three readings and we will start the process of economic planning for full employment in Ontario.

I am disappointed, however, that the first government member to speak on the bill takes exactly the contrary position. He says we cannot afford full employment. He says full employment causes inflation. He is adamantly opposed to planning by the government on behalf of the people of Ontario. I assume he plans his life insurance and, if he was in a small business, he would plan that, or if he was a shareholder of a large business he would expect a large business to plan its activities as well. Why the people on that side of the House do not understand the need for economic planning by government to create full employment, frankly, is beyond me.

Our Full Employment Act is intended to take the responsibility for planning the economy of Ontario out of boardrooms in London, England, Munich, New York or Pittsburgh and put the matter where it belongs, here, where the elected representatives speak for the people of Ontario.

I was disappointed as well when the Minister of Industry and Tourism came in with that self-serving series of statements this afternoon. It seems to me that when investments are made the government tries to take credit for jobs created in this province. It is about time they also took the blame when jobs are disappearing, as they are disappearing right now in Ontario, and made an undertaking to stop the rot and the deindustrialization now taking place.

The automobile investment, which he talked about so favourably, will not even make up for the loss of jobs we have experienced in that sector over the course of the last couple of years. It is about time we had a fair share of investment and jobs in the auto industry for all of North America.

The aim of our bill is simply to set our economy on the road to full employment. It says to the people of this province that a basic right of everyone in Ontario is the opportunity to earn his own way. It says to the 46,000 working people who lost their jobs this year and to those bright, young graduates who are bitterly looking for jobs right now that they have a right to expect better. They have a right to expect the government will do the job of managing our economy and will not leave it up to corporate planners to set out Ontario's development future. It says excuses are not enough and the waiting has to end.

We New Democrats believe that full employment is not an idle dream or an empty slogan. It is a result of competent management by a government that uses its mandate from the people to promote economic rights and to work with all elements in society to realize common goals. It is not woolly-headed idealism to say that. It is a modest beginning to the kind of economic planning and reporting that has been required of the governments of the United States since the Full Employment Act was passed in 1978. This is an example of the kind of reporting that is done to Congress every year as a consequence of that.

It is the same thing as the commitment of full employment which our government in Canada and governments the world around made after the Second World War, 35 years ago. It is significant when people talk about whether full employment can be achieved that in the Social Democratic country of Austria the unemployment rate today is about 1.4 per cent. In West Germany, where a Social Democratic government has been returned, the unemployment rate is 3.4 per cent. In Sweden, where the policies are those that the Social Democrats put into operation over many years, the unemployment rate is 1.9 per cent. If we had that in Ontario, we could reduce unemployment in this province to 75,000 people from 300,000. We could do that in this province today.

We are accustomed to having our ideas stolen by the old parties, and I know the government has circulated our proposals through the civil service. We are still waiting

to see any serious proposals from the government in reply. It is no real surprise to us that they steal our ideas, because they have no ideas of their own. We are also used to the government's ruining our ideas when it steals them; so there is no surprise, for example, to hear the Minister of Industry and Tourism talk about a plan for health care. But when it came down to the dollars and cents, he was not prepared to put up a nickle to finance it.

New Democrats have produced an economic strategy that will stand the light of day. We have talked in detail about our proposals for building key sectors of the economy, and we will continue to lay those proposals out here in the Legislature and across the province. We are looking for action.

In Scarborough last month I talked about what we could do in the areas of energy conservation and alternative energy. Five thousand jobs could be created for 10 years and we could save \$2.5 billion in energy costs for consumers in this province if we had a strategy for full employment.

In Sudbury I talked about what we could do in mining machinery. We could create 2,300 jobs in that area and bring \$43 million of new wages to the north in direct and spin-off jobs if we had a policy for full employment in that particular sector.

What we get, however, is a government that consistently underuses its planning resources and the economic expertise at its disposal. This province is littered with opportunities to act, and it is time either the government started to act or else we put a government in its place that is prepared to commit itself to full employment for Ontario.

4:30 p.m.

I expect that government ministers will talk about what they have done with the employment development fund. I would point out to the House that the major part of that fund has gone in grants to the pulp and paper industry. We have no question about modernization being needed. However, when the industry itself and major studies of the industry indicate those government funds could have been paid for by the industry itself, we have to ask why this money is coming from us when it could have been going into reforestation and why the government refuses to table the documents it says justify the giveaways to the pulp and paper industry.

The cabinet refuses to bring its development proposals before us, and its only major



initiative has not succeeded in bringing full employment. We are falling so far short it is safe to say there is no policy over there at all.

The Treasurer's economic statements also make it clear that the government has no economic plans to offer. The Treasurer (Mr. F. S. Miller) says he wants to talk about the good news and maintains that our provincial economy is much healthier than it seems. Healthier when we have 46,000 people on permanent layoffs? Healthier when we have had a decline of 18,000 people in manufacturing over the course of the last year? Healthier when more than 300,000 people are unemployed across the province? How can he say there is more good news than bad?

The Treasurer asked the federal government to stimulate the economy and then said they should trim their deficit. The statement said nothing about the Ontario government's economic plans except that he is looking to the federal government for leadership. Well, aren't we all? Have we not been waiting for years? Surely there are economic brains in the government that could do better than that. Surely the people of Ontario can expect more.

It is clear to us that we will not get a better economic leadership from the province until we have a government that believes people have a right to a job and a right to expect the government will manage the economy so there is full employment. This Full Employment Act recognizes that right; it says people will have jobs, not because the government will be the employer of last resort, but because the government will make sure in the first place that it has an economic strategy that can and will create jobs.

New Democrats challenge the government to support this bill and to agree that we need to turn our economy around. I welcome the support of my colleague the member for Essex South (Mr. Mancini) in saying the Liberal Party will support this bill, but of course we ask, if the Liberals support this bill, why have their federal colleagues in so many decades failed to produce any adequate economic plan for Canada into which the government of Ontario could fit?

If the government is going to oppose this bill, or if the government decides to block this bill, then the Conservative government led by the member for Brampton (Mr. Davis) is admitting failure. What the government is then saying is that unemployment is inevitable. We say unemployment is not inevitable; it can be avoided, it can be eliminated, we can create full employment now.

We say that, with imaginative economic leadership, the people of Ontario can earn their own way. We can plan for the future of the province and we can ensure, as the bill makes clear, that every person who seeks work in the province will have the right to paid adequate work. That is the goal of the New Democrats.

Mr. Ramsay: Mr. Speaker, it is my pleasure to address this House today on a subject of great concern to all members, namely, the economic goals of this government, particularly as they embrace job creation and full employment.

I begin by stating that I find much of what is contained in the bill before us today somewhat redundant. The member for Dovercourt (Mr. Lupusella) and the party he represents appear to be reminding this Legislature of issues to which this House and this government are clearly committed.

We in this government recognize that manpower concerns in Ontario must be given high priority. We recognize that proper manpower development and employment is of the utmost importance in ensuring a healthy and growing economy in this province in the 1980s. This recognition extends beyond a statement of policy but is translated into effective program implementation and evaluation through the various mechanisms available to this government.

The Ontario budget, a document of economic planning and review, is one such mechanism. In the budget one may find clearly stated the economic policies of manpower training, job creation and employment development fund programs designed to utilize Ontario's vast human resources. Economic development policies for the 1980s as well as economic prospects for the coming year, issues which obviously affect employment levels and manpower activities in this province, are dealt with in depth in the document. Furthermore, a review of current and foreseeable economic trends takes place within the context of the budget discussion of these topics.

As the budget document puts forth Ontario's economic priorities, the budget debate allows for ongoing evaluation of these government priorities and policies. The debate mechanism makes possible the continual assessment and discussion of the difficulties and problems in Ontario's economic sphere. Indeed, the debate option provides a forum for the examination, evaluation and a judgement of programs and approaches as they

relate to the goal of a healthy economic environment.

Assessment of the appropriateness and effectiveness of economic programs in this province is carried on elsewhere as well. The establishment of the Ontario Manpower Commission last spring was a clear response to the need for effective evaluation of manpower activities. Its main tasks include overseeing all of the manpower activities of the government, measuring their effectiveness in achieving results and deciding what policy and operational changes may be necessary. The mandate of the commission reflects the determination with which this government addresses manpower concerns and issues.

Recent proposals regarding the establishment of a committee of this Legislature to consider and review matters relating to plant closures are a further indication of the commitment of this House to the review and assessment process. Indeed, such a committee would effectively raise and address some of the difficult questions that have been brought to light by recent labour developments. I am confident and encouraged that the activity of such a committee would be productive and useful.

The proposed bill before us today raises the issue of a review process of existing programs and economic trends as they affect Ontario's manpower resources and economic policies. I hope I have made clear my belief that such a review is possible within the mechanisms and frameworks already in place in this assembly. The very fact that these channels for discussion and evaluation are available to us reflects our commitment to economic development and the achievement of manpower goals. To suggest another review mechanism would appear to me to be both redundant and unnecessary.

The problem of unemployment is one that is facing many of the industrialized nations of the western world. Unemployment in Ontario is still at a level that this government considers unacceptable. In response, we have set up programs to create new jobs and deal with the impact of unemployment on the citizens of this province. I am convinced that a close look at the job creation record of this government would leave little doubt in anyone's mind regarding constructive efforts to deal with the unemployment problem.

One real solution to the problem of unemployment is to encourage job growth in the vital sectors of Ontario's economy. To this end, this government has created more

than 70,000 new jobs thus far this year alone. Through employment development fund grants totalling \$149 million, 30,000 jobs have been protected or newly created. The record of Ontario's youth employment programs are equally impressive, as figures show that in 1980 more than 75,000 part-time or summer jobs were created to reduce the level of youth unemployment in Ontario.

We are proud of these efforts in the area of job creation, as we are proud of the fact that Ontario is relatively better off in terms of unemployment figures than are competing jurisdictions in the United States. Coupled with this pride, however, is the understanding that a considerable degree of responsibility for dealing with provincial economic issues lies with the federal government. Creating a healthy and growing economic environment in this province is a goal that the Ontario government shares with the Canadian government. We hope Ottawa assumes its leadership role in this area.

4:40 p.m.

To conclude, I would reiterate that the economic health of this province and a satisfactory level of employment are goals that this government works to achieve. To my mind, Ontario's record with respect to job creation is an excellent one. Furthermore, the government has in place an effective framework through which an evaluation of current trends and programs can take place on a continual basis. Economic planning, taking into account manpower levels and economic problems, is one of the main tasks of this government and one that is addressed comprehensively.

On the basis of these points, I am confident of this government's commitment to the manpower issues in the context of Ontario's current economic environment. I sincerely do not believe the bill before us today would assist in dealing any more effectively with Ontario's economic concerns.

**The Acting Speaker:** The member for Niagara Falls for up to six minutes.

**Mr. Kerrio:** Ample time, Mr. Speaker.

**The Acting Speaker:** You can take less.

**Mr. Kerrio:** Thank you very much. I rise to support the bill of the member for Dovercourt, and yet it is with a little feeling of sadness. I wonder why, at this time and in this place, with the kind of advanced technology that exists around the world, we have not been able to address ourselves to



this most important of all the problems facing us.

It goes without saying that it is very discouraging to hear that government, which is charged with this responsibility, continuously trying to lay the blame at the doorstep of another level of government. I am not the least interested in what is happening on the federal scene. We are here to address ourselves to the ability of this Legislature to add some kind of strength and meaningful input to the creation of jobs.

Normally I do not agree with many of the policies put forward by the Socialists, because many times they live in a dream world. They rattle their sabres.

**Mr. Laughren:** They are pro-labour policies. That is why you don't agree. Tell us about the federal Liberals.

**Mr. Kerrio:** I want to tell the member something about the federal scene that I happen to know. His leader happens to support Mr. Trudeau now. The member's great Mr. Broadbent, the great Socialist leader—now there are three in the bed: Mr. Trudeau, Mr. Davis and his Mr. Broadbent.

**Mr. Cooke:** What does that have to do with full employment?

**Mr. Kerrio:** Now that we have no difference of opinion on the federal scene, let us get back to the case at hand.

I could draw a bit of a parallel here as it relates to the education system. There were those who were very disappointed that people entering college were very sadly lacking in their ability to express themselves and they should take remedial courses in English. There is no way the government could agree with that, because it would certainly be an admission of failure of the system they created to teach our young people.

**Mr. Laughren:** It's your system.

**Mr. Kerrio:** Those kinds of interjections are great, and I could put up with a reasonable number, but with six minutes and about three minutes of interjections, Mr. Speaker, I would like to ask you if you couldn't get that clown to keep quiet.

**The Acting Speaker:** You had about one minute of interjections of your own, as I recall it.

**Mr. Kerrio:** That's right, Mr. Speaker, I am prepared to give them equal time, but I do not want them to take right over.

In any event, I compare the performance of this government with that simile I have drawn here about the education system. It

is disgraceful that it should exist at this time and yet not be willing to support legislation that would address itself at least to putting this government in the direction of full employment.

There are so many aspects that the government has in its complete control that it is always a disappointment to hear members of the government party—especially the ministers—stand in their places and direct criticism towards the federal government as though they are clean and scot-free of the responsibility of doing something meaningful within this province, within their own jurisdiction.

I refer to such things as developing the full hydraulic potential of Ontario. We could put into place some 10,000 to 12,000 megawatts of hydraulic power, something that Quebec has seen fit to do in the James Bay project. Ten or 15 years down the line, they are going to have cheap, clean and very competitive power and we are going to be sitting here with our nuclear plants creating more waste and creating a greater problem than we have ever had before in the history of this province.

The list is long and growing of things that this government could have taken on itself to do together with the private sector—not to socialize this province of ours but together with the private sector, the thing that made this nation possible—to have a real commitment to full employment which would augur well for all of the people of Ontario.

**The Acting Speaker:** The member for Dovercourt for two minutes.

**Mr. Lupusella:** Thank you, Mr. Speaker. In those two minutes, I would just like to say that by defeating this bill the Conservatives are killing the dream of more than 300,000 people who would like to have jobs now to meet their economic, social and human needs. By killing this bill, the government is withholding economic opportunities for our children and the young people of our province.

I would like to emphasize again the real content of the bill. The bill requires the Treasurer of Ontario to table in the Legislative Assembly an economic report setting out the plan of the government of Ontario for economic development and the achievement of full employment. It is disgraceful to have heard from the member for Sault Ste. Marie (Mr. Ramsay) that economic plans are priorities for this government. The main reason why the government is not willing to establish a committee of the Legislature or

to make public its economic plan to this Legislature is that it is afraid of its record and it is vulnerable in its economic issues.

The government does not have any plan because otherwise they would be pleased to hear from the New Democratic Party. It is a goal that can be easily achieved because, through a committee of the Legislature, we can give our economic expertise. I say that to this government, which is bankrupt of ideas and which will be the cause of more unemployment if certain economic measures are not taken into consideration now.

The bill also establishes a standing committee of the Legislative Assembly, to be known as the standing committee on economic development, to evaluate the state of the economy, to monitor the economic development of the province, to assess the progress of the government of Ontario towards achieving full employment and to investigate problems in the economy.

This is the goal of the New Democratic Party. This is what the Progressive Conservative government is rejecting today.

**The Acting Speaker:** The time for debating this item has now been completed.

#### AMUSEMENT RIDE SAFETY ACT

Mr. Eaton moved second reading of Bill 159, An Act respecting the Licensing and Inspection of Amusement Rides in Ontario.

**Mr. Eaton:** Mr. Speaker, I am focusing attention on this particular issue today through this bill because of an accident that occurred in my constituency at Summerfest this past summer in the village of Komoka. The accident was due to some kind of a mechanical failure and, like most accidents, it may have been one that could have been avoided. Fortunately in this case there was no loss of life and, in fact, there was only one minor injury.

4:50 p.m.

There was also an accident at the Canadian National Exhibition, where an attendant was killed when he apparently stepped into the path of one of the rotating cars on a ride. There was also a smashup on the roller coaster there this year, in which some 20 people were shaken up or slightly injured. Once again there was an indication that this might have been due to some human error.

It seems a shame that these accidents have to happen. I cannot imagine anything more tragic and needless than the consequences of an accident that occurs in a situation where

a person's only goal is a few minutes of fun. That is what concerns my constituents. It concerns me too. In fact, I would say that every one of us in this House has an interest in the 100 per cent safe operation of outdoor amusement rides.

There are approximately 40 or 50 companies in Ontario operating outdoor amusement rides. They range from some small, one-ride operators, some who have a few and who set up Ferris wheels and maybe a few rides at shopping centres and small country fairs, to those big operators at events like the CNE or larger fairs like the Western Fair or the Ottawa Winter Fair.

We are pioneers in many areas of occupational health and safety. Our legislation is superior, I guess, to most of the laws in this country for ensuring a safe environment for labouring men and women. But when they seek a few minutes of recreation on a midway ride, we leave their safety to fate. We accept responsibility for safety in many other areas. For example, automobile safety is a provincial government responsibility; so are other things, like the operation of fixed conveyances such as ski tows.

I am sure any member in this House could easily list half a dozen areas where we have made it compulsory for operators to do everything humanly possible to ensure that no citizens of this province will be injured or killed.

Let me describe the current status of inspection and regulation in this province—and please bear with me, because it is a complex situation. I am not sure I have been able to get the whole picture, but it goes something like this: To the best of my knowledge, Ontario Hydro inspects midway installations all over the province to ensure the electrical systems are in good shape. This is done despite the fact that many operators use diesel generators to produce their own power.

Also, I am informed by some of the operators of the fairs that one might have an inspection in one area on the electrical units by Ontario Hydro but, if they go into another area and Ontario Hydro inspects it, there might be a slightly different application of the rules. Midway operators tell me that a branch of our Ministry of Labour inspects pressure tanks for safety whenever they are used.

Beyond that, we leave it to the municipalities. That may be fine in Toronto or other large municipalities. The rides at the CNE are checked by a team of structural steel experts from the city of Toronto build-



ing department. They provide constant supervision all the time the CNE midway is in operation. They check the rides at the time of setup, which is particularly important, and they continue to monitor them throughout the period of the operation. I was informed by the CNE in a meeting yesterday that they are billed \$36,000 for that inspection service. The rides are constantly checked for the soundness of the structural elements, and they look at things like hydraulic pumps to make sure the seals are unbroken. Overhead rides, like the CNE's Alpine Way, are classified in the same category as ski tows. In this province they are checked by the provincial inspectors—which is kind of ironic. That is Toronto; it is a city with a large staff of building inspectors on the payroll at all times.

A somewhat different safety picture emerges at places like the Western Fair, which takes place every September in London. In that case, the fair itself hires a midway mechanic to do the job of safety inspection, full-time for the duration of the fair.

Then we come to places like our little Summerfest in Komoka. The small municipalities host fairs and carnivals every summer. Who inspects them? The answer to that is anybody's guess. On a statistical basis, the safety record of amusement rides is excellent. I think these are figures based on the United States experience because, from what I could find, we do not have records on the Canadian situation. Even the insurance companies which insure carnival operators do not classify their midway rides separately and so do not have a record. But everyone hears about the accidents that do occur; they are big news. Surely this government has the responsibility of ensuring that every operator, in even the most remote reaches of this province, makes a complete and total commitment to safety.

From what I have said so far about inspection practices in Ontario, one can see that people in the cities are better served than are people in rural municipalities and small towns. This is because cities have larger staffs of municipal employees and more comprehensive legal requirements.

The policy of this government is to encourage the municipalities to license amusement rides operating in their jurisdiction. The technical standards branch of the Ministry of Consumer and Commercial Relations has developed a model bylaw covering this subject. I would like to review the provisions of that model bylaw and, as I do,

I would like to ask the honourable members here in this House to think of small towns and rural areas that have fairs and so on operating.

The opening section of the bylaw is basically the descriptions. The second section reads: "No person shall operate or permit to be operated an amusement ride without a licence issued by a licensing authority or bylaw enforcement officer." Many municipalities do not have those.

Section 3 describes the necessary information for application forms. It includes a provision that the ride has been "maintained, repaired, inspected, tested by persons who are qualified." The same section would require rides to be operated in accordance with the manufacturer's instructions, the Canadian Standards Association Midway Safety Code or any other similar code acceptable to the licensing officer. Section 3 would also require that the rides be assembled and operated by qualified people. It does not, however, help our municipalities by stating expressly what constitutes suitable qualifications.

Liability insurance is a key to this model bylaw. One provision insists that the operator give information about the amount of insurance coverage he carries as well as the policy number, name, insurer and expiry date. I think this is good, if he has any insurance, because the insurance companies are going to put a little pressure on him to make sure things are safe too. However, it is not required unless that municipality has it, and I know many of the small fairs do not even check themselves to see whether they have it, when someone comes in to set up their rides.

Section 5 of the bylaw suggests the requirement that licencees comply with all orders of the bylaw enforcement officer. It also suggests that the municipality demand an undertaking from the licensee which would "save the municipality harmless from any liability resulting from the operation or the cessation of the operation by a bylaw enforcement officer."

Briefly, in another section, the model bylaw would require licensees to report any change in insurance coverage. It would also require a copy of the CSA Midway Safety Code or an equivalent code to be available and suitable barricades to be placed around the equipment—the public should not have access to areas around that equipment. It also calls for notification of each application to the

traffic and fire departments and Ontario Hydro.

Finally, there is a penalty section for non-compliance.

Basically, it is a good bylaw. I would like to see it in use right across this province from one end to the other. However, many small municipalities are not equipped with the staff to carry out the enforcement of this bylaw. In meetings over the past couple of years, the Municipal Liaison Committee and the municipalities themselves have asked us to use our powers to either carry out province-wide inspections or else require, by legislation, that all carnival ride operators should possess adequate liability insurance. But the insurance itself does not prevent accidents. They also indicate they would appreciate it if the province could carry out metal fatigue tests on rides and associated equipment.

I want to emphasize that I am not accusing this industry of irresponsible behaviour. On the contrary, we have a big province and dozens of carnival operators handling literally millions of riders every year, and their accident record is very low. I had a meeting with that group yesterday and a very good discussion with the operators and people involved with the Canadian National Exhibition, the Western Fair and so on. I think they are taking many responsible steps. But then every operator is not necessarily a member of their association.

Basically, my bill calls for this government to provide for the licensing and inspection of all amusement rides in the province. This should be done in a manner consistent with the enforcement of the highest safety standards. It calls on the minister to nominate a director for the purposes of the general administration of the act, and it calls on the Minister of Consumer and Commercial Relations (Mr. Drea) to appoint inspectors to carry out the provisions of the act.

5 p.m.

The act mentions in section 8(2): "The minister may appoint as inspectors under the act persons nominated by the Canadian Outdoor Amusement Association." I think they know who the qualified and responsible people are.

The Canadian Outdoor Amusement Association, or the COAA, is an industry organization of carnival operators in this country. It has been gradually gearing up to provide that inspection service. Part of the encouragement for this has come from the technical standards division of our Ministry of Consumer and Commercial Relations. I do not

believe that every midway operator in this province is a member, but that could become a requirement once we had a director in place and made licensing and insurance coverage legal requirements.

In other words, I feel it is not realistic for us to lay the responsibility for midway supervision on municipal governments. I am not proposing that the provincial government hire a whole batch of inspectors; I think that runs against common sense and certainly against the policies of restraining expansion of the public service that we have carried on—policies I am certainly firmly in favour of.

That, however, does not mean we could not step up our co-operation with the COAA and the amusement ride operators. We could assist that organization probably at little or no expense to the taxpayer until it is fully prepared to undertake province-wide inspection of midway rides. In other words, I believe that with some further help it could become the instrument of self-regulation for that industry with the province merely accepting the job of being a licensing body.

I would like to elaborate on one further point, if I may. Section 10(2) of the bill states, and I quote: "In carrying out his duties under this act, an inspector shall apply the Midway Safety Code (CSA Standard Z267-1971) and such other safety codes as are prescribed by the regulations."

A 20-person committee has been hard at work under the auspices of the Canadian Standards Association on a comprehensive updating and revision of the Midway Safety Code. At a meeting just last month, they reviewed what they hope will be a final draft, which has been sent out to the members for their approval.

The people on this committee represent every provincial government, the Canadian Outdoor Amusement Association and the operators themselves. I am confident they have done a first-class job again. I understand that at least part of the encouragement for this updated code came from our technical standards people. They have been urging this industry to gear up for self-inspection and self-regulation for quite some time.

It is my conviction that we must do more than urge municipalities to consider the option of licensing rides. We should license them ourselves and we should provide whatever help is necessary to the industry association to provide full safety inspection service.

I ask my fellow members to join with me in supporting this legislation and in working together with the industry to bring about a



high degree of safety to something that can be a great deal of fun for us in the province.

**Mr. B. Newman:** Mr. Speaker, on Friday, June 14, 1974, the Windsor Daily Star reported: "Ride Safety Measure Proposed." I had asked the then Minister of Consumer and Commercial Relations, the Honourable John Clement, to act on the problem of carnival ride safety. Here we are, approximately six and a half years later, still discussing the problem.

It is a pleasure for me to speak in support of this private members' bill providing licensing and inspecting of amusement rides in Ontario. I think that title should be turned around. It should be inspecting first and then licensing, rather than giving the licence and then deciding to inspect. However, that is a very minor matter.

I just wonder where the government was for the last six years. They have had the Windsor experience; they have had the Bob-Lo experience. Yet they sat on their haunches and refused to act, even though many children and youngsters have been hurt as a result of unsafe amusement rides.

Of course, some municipalities, among them the city of Windsor, have for some time had bylaws that require inspection of rides when they come to town. As a matter of fact, the city of Windsor has been asking the province for legislation covering regular inspection of amusement park rides since 1966. The members opposite have been asleep at the switch for 14 years. We commend the member for Middlesex (Mr. Eaton) for at least knowing that legislation should be forthcoming. He is probably the vehicle being used to introduce the legislation.

I understand the provincial cabinet promised the city of Windsor in 1973 that immediate legislation was forthcoming on safety regulations vis-à-vis the topic under discussion.

**Mr. Mancini:** Another broken promise.

**Mr. B. Newman:** That was in 1973. As the member for Essex South said, "Another broken promise."

When I questioned the Minister of Consumer and Commercial Relations on this matter some years ago, he said he would look into the matter and report back. Why was there any reason to report back? The legislation was needed then. Maybe it was needed even more then than now except that the rides are more sophisticated today and, as a result, really need the inspection.

Legislation was needed, it was promised, but it is long overdue. The case is still the

same today. I hope the one hour we are spending in debating this private member's bill does lead to some results.

In 1974, I questioned the minister again about safety regulations for amusement rides in connection with an accident on Bob-Lo Island. There was some suggestion at the time that municipalities could provide for carnival ride safety by requiring carnivals to show proof that they are carrying substantial insurance. The insurance does not make the ride safe. It is the inspection that will permit the ride to be used that we are interested in.

Back in the good old days when the rides at amusement parks and carnivals were comparatively simple—merry-go-rounds and so forth—there was less reason for anxiety. But nowadays we have the speeding roller coasters, the Corkscrews, the Cobras, the Whips and other more sophisticated, speedy and risky contraptions.

In this connection, I would like to point out that the city of Windsor first instituted the inspection of carnival rides. On the inspections it was found that some of the machine connections were kept together with bent nails and clothes hangers. Imagine bent nails and clothes hangers as safety devices.

I again attempted to bring pressure to bear on the government on this question in the summer of 1976, when I called upon the Minister of Consumer and Commercial Relations to consider requiring the display of some sort of mechanical fitness or safety certificate on amusement rides in the province. I raised this matter following the year's second serious accident on Bob-Lo Island. I still maintain that if an inspection is provided the inspection certificate should be right on the window of the cubicle from which they sell tickets to the ride so an individual going on that ride knows once and for all that ride has been inspected and is safe. But if we do have total inspection, then we hope the Ministry of Labour or the Ministry of Consumer and Commercial Relations sees that each and every one of those rides is safe.

At that time, the minister's response to me was to indicate that he assumed if a ride was inspected and found to be safe there would be some sort of proof given to the owner and operator. But he felt that inspection and certification would not be a provincial initiative. That was in 1973. I cannot understand why today the ministry has suddenly flipped and finds that is really necessary.

5:10 p.m.

The minister also repeated earlier statements that his ministry had prepared a

model inspection bylaw and that the province did not have the expertise to train or instruct any inspectors. I can accept that they may not have had the expertise, but they certainly can buy it. There are people in the industry who know whether a ride is safe. The implication was that he was prepared to wash his hands of the whole matter.

Over the years there have been numerous accidents at amusement parks. For example, Bob-Lo had a fatal accident in 1965 when a 17-year-old youth was thrown from a roller coaster ride and died three days later, never regaining consciousness. Several other people were injured in that accident. There have been other accidents involving broken fingers, broken legs, broken pelvises, abdominal injuries, lacerations and head injuries.

I have raised this question of amusement ride safety on numerous occasions on the floor of the Legislature; unfortunately I never got support from the government benches. I am awfully pleased that now, in 1980, they have seen the light and realized that what I spoke to them about seven or eight years ago had to come to pass.

I would like to cite an instance involving two young women injured on a roller coaster. Following my inquiries about the case, the minister wrote me stating that the equipment was found to be in good condition and the injured employees "did not fasten their seatbelts." However, I was informed at the time of the accident that there were no seatbelts: so how could they have fastened them? After the accident the employees worked all night to install seatbelts and to fix everything that was needed.

I had written a letter to the minister asking him to give me a report of their inspection of the ride; it was never forthcoming. What does it take to bring in legislation? How many more back injuries or worse are to occur?

There was another young lady at Bob-Lo who had an accident on one of the rides back in 1976. She was thrown from a car on the roller coaster when her seatbelt opened up. Apparently the car had been going approximately—from the report—50 miles an hour at the time.

**The Deputy Speaker:** The honourable member's time has now expired.

**Mr. B. Newman:** Mr. Speaker, rather than go into any more comments concerning the various accidents that have taken place, I would like to mention that the operators of

the Bob-Lo amusement park are new operators. As a result, they have changed completely and rides are being inspected.

**Mr. M. Davidson:** Mr. Speaker, I rise to support the bill put forward by the member for Middlesex. I look upon it as being a companion bill to the piece of legislation I introduced in June of this year, An Act to license and regulate Go-Cart Tracks. I introduced it primarily for the same reasons the member for Middlesex has brought forward this bill.

It is most unfortunate, however, that in both instances it took an accident to bring us to look very seriously at the way entertainment both for children and adults in this province has been monitored and inspected over the years.

The member for Windsor-Walkerville (Mr. B. Newman) has indicated that he and others in this House have raised this issue over a number of years. I suspect that is true, and I know there have been a considerable number of accidents. Even though the member for Middlesex says it is a low accident rate, I think if he checks the record across the country, he will find there have probably been far more accidents occur through midway operations than we anticipate or consider.

I do not know whether the member for Middlesex saw this on television, but approximately a month ago the program 20-20 did a program relating to problems within carnival operations. This was primarily in the United States, but I am quite sure many of the problems there are applicable to what takes place in Canada and in Ontario. During the course of that program they travelled with an inspector who worked for one of the states that have this type of legislation already in effect. They toured around the country and visited the varied carnivals. The inspector's role in the program was to try to locate rides that were defective and to show through the television medium the kinds of operations that were being carried out and the kinds of rides people were taking part in.

It was interesting to see that in one carnival there was a giant Ferris wheel. This fellow stood there watching it go around for a few moments and then watched them trying to stop it. He pointed out, "There is something wrong with that Ferris wheel over there." The TV crew went over and the inspector, who I believe was from the state of Maryland, said, "You have no brakes on this Ferris wheel." The fellow said, "That is correct." He said, "Well, how do you



stop it?" He said, "I slowly put it into reverse."

There was an instance at another carnival where they had a ride which I believe was called the Flying Scooter, or something similar, where the cars are on the ends of cables. As the ride turns, the cables swing out and you are eventually taken from a low level up to a higher level. He went around and inspected those cables, and in some cases there were only three or four strands of wire left on certain of the cables holding the scooters in position.

He found cases of rides where there were nails rather than the proper equipment in place, as the member for Windsor-Walkerville pointed out. On some rides where a shim was required he found, rather than a proper shim, they had inserted pieces of cardboard, such as cigarette boxes, to take up the slack or play in certain parts of the machinery. A bill such as this not only should be looked upon as one that should be passed in the Legislature today or, it is to be hoped, this fall, but it also makes one wonder why there has been reluctance on the part of the government to bring in legislation similar to this going back to the time when the member for Windsor-Walkerville raised these very issues.

This may be something new to the member for Middlesex, but it is not new to the government he represents. I am quite sure the member is sincere in wanting to see this kind of legislation put forward. As the member for Middlesex pointed out, the Canadian National Exhibition, being the kind of operation it is, probably has the best inspection system in the province. Even with that, if one goes back to the CNE that just finished, there were two or three accidents this year in which people were injured on midway rides and which were reported in the paper and on the television news. Those accidents indicate that, even with proper inspection—if it can be called that; I was not aware who did the inspection, but the honourable member tells me it was the city of Toronto—perhaps the inspectors being used for that are not as highly trained as they should be.

5:20 p.m.

Under the existing legislation there is a place where the municipality is responsible for bylaws or whatever to enforce certain inspections within the midway operations that come to the municipality. But, as the member points out, very few municipalities have implemented that type of bylaw and few

could carry out the kind of inspection put forward in this piece of legislation today.

For example, how would a bylaw enforcement officer know what to look for when he went to inspect a midway ride? He would have no idea unless he had been trained. I know of no municipality that would put someone on the payroll simply for that purpose, given that each municipality might get one or two midways going through each year. So I am quite sure they do not carry out the kind of enforcement that takes place.

I am not as sure as is the member of Middlesex that all operators of amusement rides in Ontario are responsible people. I believe in some cases there are irresponsible operators.

**Mr. Eaton:** The responsible ones are in the majority.

**Mr. M. Davidson:** The member may be right that they are a majority, but I believe there to be irresponsible operators in this province who will get away with, or attempt to get away with, whatever they can in order to make their own profit from the operation greater. From the moneys they make on these rides, they do not even attempt to put back any part of that profit into maintenance of the machines that operate the rides. I think it is time someone looked at that and determined how, why and what should take place.

I think the member's bill is a good bill. I have a couple of questions he can answer when he has a few moments. I am not disturbed, but it bothers me that under section 4 he would want the appeal to go to a judge of the county or the district court if a licence is turned down. I wonder why he would not have the appeal go to the Commercial Registration Appeal Tribunal under the Ministry of Consumer and Commercial Relations. That is one area.

Secondly, it is in the bill that the ministry shall appoint inspectors under the act from the Canadian Outdoor Amusement Association. I agree these are the people who probably have the best knowledge as to how a midway ride should operate and where the deficiencies in that ride may be, but I am not at all certain they should be appointed. I think basically they should be hired through the Ministry of Consumer and Commercial Relations and work directly for the ministry. In my view that would give them more authority and would probably make for a better inspection of the operations of the midway ride.

Other than that, having looked at the bill, I find it is basically compatible with the bill

I have moved, Bill 95. I think the intent of both bills is to make for a much safer participation in what we call good fun for the people in Ontario, adults and primarily children.

In my own riding this summer, we had a downtown midway on the main street. A young fellow, about five years of age suffered a severe gash across his head because there was a defect in the ride and the seat he was in tilted. I believe if proper inspection had taken place on that ride, that kind of accident would not have happened and the young boy would not have been injured.

**The Deputy Speaker:** The honourable member's time has now expired.

**Mr. M. Davidson:** Thank you, Mr. Speaker. I congratulate the member for Middlesex for bringing in this legislation. I can assure him I am prepared to support it.

**Mr. J. Johnson:** Mr. Speaker, I am happy to rise in full support of this bill entitled the Amusement Ride Safety Act, which has been proposed by my colleague the member for Middlesex.

As many honourable members realize, I represent a riding that is unique. It is almost entirely rural, and urban centres are quite modest in size. The largest municipality has fewer than 7,000 population. In Wellington-Dufferin-Peel we have many smaller towns, villages and hamlets. They nearly all have fall fairs and summer carnivals, and what fair or carnival would be complete without a midway and amusement rides? This year alone there were over a dozen fairs in or adjacent to my riding, all with amusement rides, and I am sure they provided pleasant entertainment for many thousands of children from the nearby communities.

But I wonder how many parents realize they are gambling with fate by allowing their children to patronize these rides when they have no assurance that they are completely safe or that they have been inspected and certified safe. Quite frankly, I don't think you could find qualified inspectors with the expertise to inspect and certify amusement rides in every small community in my riding or in most areas of rural Ontario. The questions then are, who will make the inspections and what qualifications does the inspector require?

I have been a life-long resident of my area, and I have worked with many of the very fine men and women in municipal offices over the years. They do a tremendous job really. I have a great deal of confidence

in them, as I do in the men and women I deal with in this government; but in spite of the best intentions, I don't think it is fair to expect them to be able to do a proper job of inspecting amusement rides. I have to admit I had not given much thought to this area until this bill was brought to my attention by Mr. Eaton.

I would like to correct the member for Windsor-Walkerville. The member mentioned that the member for Middlesex was being used as a vehicle to introduce this bill for the government. I think if members know the member for Middlesex, they will realize he is no vehicle for anyone, and he does his own thing.

I was somewhat surprised to learn that Ontario is almost alone among the provinces of Canada in not having some sort of mandatory provincial licensing and inspection. Alberta is a good example. I understand that from the point of view of the operators themselves, it is regarded as an ideal situation. What they did in Alberta in 1974 was to declare by order in council that an amusement ride is a fixed conveyance under the terms of the Elevators and Fixed Conveyances Act. The same people who inspect elevators and ski lifts also inspect the midway rides. They enforce the Canadian Standards Association's midway safety code.

I am happy to hear my colleague from Middlesex explain that is not what he has in mind for Ontario. We have done a remarkable job with the concept of industry self-regulation. I think we are a leader among jurisdictions in that way. In one sense I suppose it is kind of tough to imagine the transient carnival operators policing themselves with the same regularity as the insurance industry, for example; but that is probably just a prejudice.

I share my colleague's confidence in the ability of the Canadian Outdoor Amusement Association. In particular, I feel this way because the organization originally got under way at the urging of this government. I believe it had been the intention of our technical standards branch to help it along until the time came for it to undertake the responsibility of becoming the watchdog for the industry.

At present in Ontario there is much confusion in the area of amusement ride inspection. One of the industry spokesmen has gone so far as to call it a dog's breakfast. We have every reason to consider the operators' interests as well as our own. They are good taxpaying citizens. They provide a ser-



vice that is certainly appreciated. As I have mentioned previously, I know that at many small fairs that take place in my riding each year, the people get a big kick out of the rides.

However, as I mentioned earlier, I certainly would not want to saddle the municipal offices with the job of inspecting them. I am sure this is something the operators could do themselves through the expertise of their own association and in compliance with provincial regulations and laws.

Therefore, I firmly believe legislation is needed to ensure that the people, especially the younger children who frequent these amusement rides, are protected, and that someone has inspected the rides, assumed the responsibility of certifying them safe and has so indicated.

A comparison could be made to elevators. I think the majority of us take the safety of elevators for granted. When we step into an elevator we have complete confidence that the elevator is safe, that someone has inspected it and certified it as so. It should be the same with amusement rides.

5:30 p.m.

We owe it to the children of this province to provide that same degree of safety and to their parents to provide that same degree of security. We can achieve that degree of safety and security through this bill before us today. The bill has three main points: to provide for the licensing and inspection of amusement rides in Ontario, to require that all amusement rides be licensed, and to make it an offence not to have them licensed or to operate them in an unsafe condition.

If the members support this bill, there's an excellent chance that it will be brought into legislation in this form or in a compatible one that will achieve the principles set out in this bill. I urge all members to support the Amusement Ride Safety Act presented by the member for Middlesex.

**Mr. Breithaupt:** I am pleased to speak on the second reading of Bill 159. In preparing my remarks, I was interested in an article that appeared in the Washington Post on August 3, 1980, written by Michael Satchel. It developed a number of conclusions with respect to the industry within the United States so far as amusements are concerned. These were the conclusions he reached:

First, considering the millions of rides given each year at about 1,500 parks and carnivals, the industry's safety record is fairly good, although there is room for improvement.

Second, modern amusement parks and the bigger well-run carnivals appear generally to have better safety records than the older parks and smaller marginally operated carnivals. But this does not mean a smaller travelling show is dangerous—some have excellent safety records.

Third, no one has an accurate count of the deaths and injuries although it is known that victims are often young. Parks and carnivals downplay accidents and often try to keep details under wraps. Insurance companies and ride manufacturers ordinarily keep safety records secret.

Fourth, the accident-claim statistics from two large insurance companies show there are on average about 10 deaths per year on rides and some 6,000 to 8,000 injuries of various sorts.

Fifth, lives could be saved and accidents prevented with better training of ride operators and with mandatory nationwide safety inspections. Only 16 states currently inspect amusement rides.

Finally, safety could be enhanced if the industry adopted voluntary nationwide standards for ride manufacture, maintenance and operation.

This is an interesting result from the study the Washington Post did. It went on to say that although accidents have occurred when lapbelts failed or door catches broke or operators ran the attractions haphazardly, it's also clear that some victims at least have contributed to their own deaths by jumping on or off moving rides or committing various other foolish acts.

Virtually all the amusement ride operators insist the biggest single cause of accidents is the patrons themselves, followed by operator error, then equipment malfunction due to poor maintenance or design.

We have heard this afternoon certain comments about accidents that have unfortunately happened. One in his own area led the member for Middlesex to bring in this bill. I suppose that if the figures of 10 deaths and 6,000 to 8,000 injuries per year is appropriate to the United States, then perhaps one tenth of that figure would be expected as the Canadian result.

We have seen a death on occasion, and certainly a number of injuries have resulted from the operation of these various kinds of equipment. I am sure the proportion of responsibility between the individual himself or herself on occasion as well as some operator error or problems in the equipment would be the same in Ontario as the relationship in the United States.

I understand there are some 500 pieces of equipment that fall into this category, that they operate generally over about a three-month time span within the summer months. The Canadian Outdoor Amusement Association has two inspectors and I presume these are the kinds of persons referred to in section 8 of the bill as individuals who are qualified and may be appointed inspectors if that does result.

I am concerned that the present circumstance of inspection and licensing is not adequate. Certainly we are aware that a variety of municipalities give licences to these various carnivals when they come into town, and I am quite convinced, as it would appear the other members who have spoken on this bill are, that the person sent out to inspect these various intricate pieces of machinery will likely have very little knowledge as to what he or she may be looking for.

But I suppose a licence fee is paid and surely, if the inspection is going to result now from some kind of a central organization and review, then that fee should not be paid twice. If these various pieces of equipment are going to be thoroughly inspected, and of course the costs are going to be paid eventually by the public no matter what happens, I think it is appropriate not only that qualified people do the inspecting but also that this past experience of having fees charged and services unevenly performed by the building inspector, someone from the fire department or whoever it might be with all the goodwill in the world, that system is going to have to change.

The Midway Safety Code is mentioned as the relationship in section 10. It was my understanding that a new federal safety code was coming out in this area and that code number, while it might be different, would have to be the most up-to-date code relationship we could have.

As I have said, the municipalities now charge a variety of fees, and I think it is fair to say the inspection provided is uneven at best. If this is to be a new approach in Ontario, then I see no reason why municipalities should be charging any fees if they are not providing the inspection services.

We are adding several inspectors and a director in this area, and these things of course cost money. I would hate to see the funds spent here and find that licence or other fees were being charged for by municipalities if they were not providing any services. We have to use the funds to best advantage, and

it may be that a simple operation would be useful, but I do not want to see the kind of duplication that I think has occurred in the past.

As we look in this bill, it is true that we see a number of changes that could occur, and I only regret that this has not been brought in as a piece of government legislation. It is clear from the comments made by my colleague the member for Windsor-Walkerville that his interests and concerns about this whole theme of safety have had a dozen or 14 years in the history of this Legislature.

If the bill proceeds to the committee stage, I hope there will be an opportunity for representatives of the Canadian Outdoor Amusement Association and individuals responsible for licensing and inspection from the municipalities where these larger amusement parks are located, such as the Bob-Lo park and the Canadian National Exhibition, to come before the committee to make sure that what we are doing here is not duplicating resources and fees.

If we are to set up this kind of an organization, small though it may be but expert, then we want to ensure that we are getting the best value for money. I do not know where we are going to get the qualified inspectors but it may be, as this bill proceeds to the committee stage that the member will have some suggestions for us about that and about what the cost will be.

The charges municipalities make may have to be something in the past if these funds are all going to be used to maintain an expert organization rather than the uneven inspection we have had in the past, and any of these new licensing costs set out in the regulations that can be made if this bill is successful are going to cost somebody some money.

I hope these various details may be considered if the bill goes to the committee stage. I commend the member for bringing this forth as an idea, and it is quite clear that much time has been spent on sorting out a number of the details and definitions. More work will have to be done in some of the particulars I have referred to.

5:40 p.m.

I presume that the member has brought this forward with some comment or attitude from the Ministry of Consumer and Commercial Relations. I do not know whether the minister is in favour of this bill at this time, but we would be able to find that out at the committee stage. I would hope he



would be in favour of it, because a common standard at a fair cost that is not a burden on the operator but is a fair replacement of municipal levies is something that may well be worthwhile. I hope the bill proceeds to committee and that we have the opportunity of looking further into the whole theme.

**Mr. Bounsall:** Mr. Speaker, I want to commend the member for Middlesex for bringing forward this bill to license and inspect amusement rides in Ontario and to say that in all the nine-plus years that the two of us have been present together in the Legislature I have never known this member to be so reasonable, so rational and so completely correct in everything he has said as he has been with respect to this bill. I totally agree with everything he has said, and I certainly agree with the thrust of the legislation.

The fault that we do not have such provincial legislation lies with the Conservative government, which has consistently refused to provide this kind of legislation to provide for uniform province-wide inspections and inspectors for amusement rides in our province. The member for Middlesex is entirely correct when he says, and the bill requires, that the minister should provide that province-wide inspection and should appoint provincial inspectors.

Part of the fun and the thrill for people partaking of rides in an amusement park should not be wondering if they are going to survive the ride. That is too often the case with the way rides are set up in some of the permanent amusement locations. I do not think people mind being frightened to death by a ride, since that is part of the thrill, but they do not enjoy the prospect of possibly being battered to death because of the unsafe condition of a ride.

Windsor has had a very long history of involvement in urging legislation of this type. For some 12 or 14 years, the city of Windsor has taken the matter very seriously and has provided inspection of all amusement rides that come into the city. There are no permanent amusement parks in the city of Windsor; so each one that sets up for a particular few days in connection with a particular event must be inspected.

Over the years, they have compiled a running list of some of the severe faults they have found which caused them to deny operation of a ride until they were repaired. They have found rides to be at fault, they have found connections not properly made, and they have found equipment to

be faulty and held together in a very temporary way with coat hanger wire and so on which, when they found it, would cause any of the members in this House to do exactly what Windsor has done: to be appalled and shut down that operation or not to allow that operation to occur.

Over the years, the city of Windsor has taken the lead in proposing to this government, through any and all ways available, that the type of legislation that the member for Middlesex has brought forward be placed into permanent legislation by the province.

It is very frustrating for the city of Windsor to have capable amusement ride inspectors—which they have virtually trained themselves, there being no real place where they can go out and find this expertise—and to find themselves, as a city virtually free of accidents, located just 14 miles from the town of Amherstburg, across from which is the island on which the permanent amusement park of Bob-Lo sits, and to hear, summer after summer, of the accidents that occur in Bob-Lo mainly as a result of unsafe mechanical operation of those rides.

As this occurs each summer, it is very frustrating to think that they have the inspection in Windsor, and they do not have it in Bob-Lo. Yet when you look at the number of hours Bob-Lo runs, and the owners and operators police themselves on Bob-Lo, the people of Bob-Lo are not the worst operators in the world. I am sure they are not the worst operators in Ontario—but a better job could be done.

If there were government inspectors in the case of a permanent amusement park, those inspections would need to be periodic over the time of the operation of that park—not just once at the beginning of the season, but at several times throughout the year.

Turning back to Windsor, it has passed resolutions year after year and has sent them around to other municipalities for endorsement. There has been no problem with endorsement from other municipalities for the idea that the inspection be taken over by the provincial government. It has been passed several times now by the Association of Municipalities of Ontario, as one of the major resolutions it has brought to the government's attention. Very recently the matter was a topic of the Municipal Liaison Committee in its discussions with the province and at one point fairly recently they thought they had agreement from the Minister of Consumer and Commercial Relations that something would be done. But here we are with nothing being done.

I agree with the member for Middlesex that we have a decent model bylaw, but that is not nearly enough. There are certain bylaws which do vary from municipality to municipality. We have a great model bylaw, but few municipalities have adopted it and few municipalities have the inspectors capable of making that inspection. It is all right to have a bylaw that might do the job but, if the municipalities do not pass it or if the municipalities do not provide or purchase that inspection, it is really not worth having. That is really the situation.

We cannot really expect the various townships across Ontario in which an amusement ride will show up for a two- or three-day operation in connection with a fair or some other event to be able to have qualified inspectors who could make the proper kind of inspection. This lack is what resulted in the accidents that have occurred around the province and the feeling on the part of some of the operators that they do not have to be safe in the operation of those amusement rides.

It is way overdue that this government should have brought in this legislation. It should pass this legislation brought in by the member for Middlesex. If not, it should bring in its own legislation.

**Mr. Williams:** Mr. Speaker, I am delighted to rise and support the initiatives being taken by my colleague the member for Middlesex in introducing this legislation for debate before the Legislature this afternoon.

There are only two things over which I take issue with him regarding this legislation. Contrary to his suggestion that it is more relevant to the rural communities of Ontario, I suggest it has equal application to the urbanized, cosmopolitan areas as well.

The second point I take issue with is that the legislation is not 14 years too late, as suggested by the member for Windsor-Walkerville, but 17 years too late in coming. This is an issue I have been concerned with for all of 17 years.

When I first was a member of the council of the then township of North York, we had to grapple with this problem. I think our municipality was the first in Ontario to endeavour to come to grips with this matter by petitioning the government to enact legislation to deal with it on a uniform basis throughout the length and breadth of the province.

Because the government did not see fit to respond to the situation back in 1963-64, the township of North York had to devise its own

ways and means of coming to grips with it. We did so by evolving a policy for the safety inspection of mechanical rides operating in the shopping centres throughout what became the borough of North York. It is interesting to note that the set of requirements or criteria that we established as a council are very much mirrored in the various sections of this legislation.

5:50 p.m.

So I am delighted, in the short time available to me, to rise in support of this bill. I would like to speak in greater depth with regard thereto, but I do conclude my remarks by saying I welcome the initiatives taken by the member for Middlesex.

**Mr. Eaton:** Mr. Speaker, I would like to thank all the members who rose in support of this legislation. I believe a good piece of legislation like this, with this kind of support from the speakers, deserves support from all the other members who perhaps were not in the House at the time the debate took place.

I would like to comment on a couple of things brought up by some of the members. The member for Cambridge raised the question of an appeal to a judge. Perhaps his suggestion of an appeal to a tribunal, or whatever, might be quite worthy of being used in the legislation.

He also somewhat questioned the appointment of people from the Canadian Outdoor Amusement Association as inspectors. As was pointed out by the member for Kitchener, there are now two people who are being used. They are very expert in the field. They are being used by the members of the association. Our basic concern is that there are a number of people who are not members of the association who are not getting that inspection.

I think these are qualified people who could be used and are very responsible in the field. They are not individuals who work for any one of the companies or anything else; they are outside of that. So there is room for using people like them who do not have to be government employees. That is basically the idea of self-regulation—letting the people who are really concerned about it take some interest in it.

In regard to the licence fees and double licensing, I feel the regulation would mean there would just be a licence fee paid and that money could be used for inspection work and so on.

It was pointed out to me by the outdoor amusement association yesterday that in some municipalities a fee as high as \$200 is



charged for rides they set up and yet they still get no inspection from the municipalities. That is something that would have to be governed by the regulations.

The member for Oriole pointed out that I was more concerned about the situation in small towns. This concern is basically because the large municipalities have been able to afford and apply the inspection, to get some qualified people and to pass the bylaws, whereas in rural municipalities they have not. But the fact there is a difference in my concern for the people in small municipalities does not mean I am more concerned about one than the other. It is just that some have been able to carry it out.

I thank the members for their support and I hope we will have support for the bill in the vote.

#### FULL EMPLOYMENT ACT

The following members having objected by rising, a vote was not taken on Mr. Lupusella's motion for second reading of Bill 155:

Auld, Ashe, Baetz, Belanger, Bennett, Bernier, Brunelle, Cureatz, Eaton, Henderson, Hodgson, Johnson, J., Kennedy, Lane, Maeck, McCague, McNeil, Newman, W., Norton, Parrott, Ramsay, Rotenberg, Rowe, Scrivener, Sterling, Turner, Villeneuve, Walker, Watson, Wells, Williams—31.

#### AMUSEMENT RIDE SAFETY ACT

Mr. Eaton moved second reading of Bill 159, An Act respecting the Licensing and Inspection of Amusement Rides in Ontario.

Motion agreed to.

Ordered for committee of the whole House.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Wells:** Mr. Speaker, in indicating to the members of the House the business for next week I would first like to ask the consent of the House to stand down the

estimates of the Premier (Mr. Davis) which would normally come on tonight, to be considered tomorrow morning, if that is agreeable. Then we can start the estimates of the Ministry of Northern Affairs in the House tonight. Is that agreeable to the House?

**Mr. Speaker:** I take it that is not a motion.

**Hon. Mr. Wells:** No. I would assume agreement is there. We therefore have the estimates of the Ministry of Northern Affairs beginning tonight. Tomorrow morning we will finish the Premier's estimates.

On Monday, October 27, the estimates of the Ministry of Northern Affairs will be considered in the House.

On Tuesday, October 28, in the afternoon and evening, we will do the following bills in this order: second reading and committee of the whole House on Bill 168 and Bill 169; second reading and committee of the whole House on Bill 139 and Bill 170; committee of the whole House on Bill 172; second reading and committee of the whole House on Bill 164 and Bill 165, followed by second reading and committee of the whole House on Bill 171. Then, if any time remains, we will move to the budget debate.

On Wednesday, October 29, three committees may meet in the morning: general government, resources development and administration of justice.

On Thursday, October 30, in the afternoon, we will take private members' ballot items 29 and 30, standing in the names of Mr. Haggerty and Mr. M. Davidson. In the evening the House will consider the report of the select committee on constitutional reform.

On Friday, October 31, the House will consider the motion for interim supply, followed by concurrences in the estimates of the Office of the Assembly, the Office of the Provincial Auditor, the Ministry of Culture and Recreation and the Ministry of Correctional Services.

The House recessed at 5:57 p.m.

## APPENDIX

(See page 3659)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

## FOREST FIRES

**256. Mr. T. P. Reid:** In regard to the recent forest fire situation in northern Ontario, would the Minister of Natural Resources reply to the following questions: 1. How many acres of marketable timber were burned as a result of the recent forest fires? 2. What was the total cost of fighting these forest fires? 3. Were there any paybacks either to the federal government, other provinces, or states of the United States? 4. What was the total cost for non-ministry airplanes and non-ministry helicopters? 5. Were the large cutover areas and the slash left in the bush a contributing factor to the size and intensity of some of the fires? 6. What plans does the ministry have to regenerate the burned-over areas that have resulted from the spring 1980 fires? (Tabled June 17, 1980.)

**Hon. Mr. Auld:** 1. How many acres of marketable timber were burned as a result of the recent fires?

Fire No.	Area burned Mature timber	
Northwestern region		
Kenora 23	95,086	
Red Lake 14	25,883	
Ignace 27	59,000	179,969 acres
North central region		
Atikokan 7	10,929	
Thunder Bay 28	9,706	
Thunder Bay 46	128,170	
Thunder Bay 53	1,884	
Thunder Bay 56	2,100	152,789 acres
		332,758 acres

2. What was the total cost of fighting these forest fires?

To date, extra fire fighting expenditures total \$33 million.

3. Were there any paybacks either to the federal government, other provinces, or states of the United States?

To date, only the province of Quebec has submitted invoices (totalling \$66,000) for two CL 215 operations in Dryden (May 30 to June 2) and Sudbury (July 16 to 18). The provinces of Alberta and Newfoundland

supplied Canso water bombers; however, no invoices have been received to date. No invoices have been received from the US Bureau of Land Management and US Forest Service for the services of communication equipment and technicians (Kenora 23, Ignace 27), overhead fire team deployed on Thunder Bay 53, and fire training team which conducted supplementary crewman training in the north central and north-western regions. No invoices have been received from the military for the services of three weather technicians and six heavy helicopters on fire operation and evacuation readiness in the north central and north-western regions for some three weeks.

4. What was the total cost for non-ministry airplanes and non-ministry helicopters?

Approximate total cost for non-ministry airplanes was \$10 million and for helicopters was \$8 million.

5. Were the large cutover areas and the slash left in the bush a contributing factor to the size and intensity of some of the fires?

The most significant factors contributing to the large fires in 1980 were the extreme conditions, tinder dry forest fuel and multiple fire starts experienced during May and June into July.

Although there were areas of cutover and slash areas on the large fires, particularly Kenora 23, due to the extreme fire conditions it made little or no difference in the rate of spread or sizes of fires whether the fuel types were slash or green timber.

Generally fires originating in slash areas will grow more rapidly due to arrangement and dryness of fuel, lower relative humidity and presence of higher winds as compared with forest areas. Cutover areas, however, could offer better access, opportunities for suppression, bulldozer work and less fire intensity at night.

The most desirable situation is to have variation and breaks in fuel patterns so there could be options for fire suppression strategies depending on associated fire behaviour in those fuel types.

6. What plans does the ministry have to regenerate the burned-over areas that have resulted from the spring 1980 fires?



**SUMMARY OF SILVICULTURAL TREATMENT  
REQUIREMENTS OF 1980 FIRES  
NORTH CENTRAL AND NORTHWESTERN REGIONS**

Fire	District	TREATMENT IN ACRES						
		**Pj D/S 1980	Pj D/S 1981	Plant 1981-ON	Not Known	Nat. Seed	Non Forested	Total
7	Atikokan	—	15,000	400	—	1,400	—	16,800
53	Thunder Bay	3,750	—	—	—	1,200	—	4,950
56	Thunder Bay	6,600	—	200	—	3,900	—	10,700
*46	Thunder Bay	11,285	10,000	—	500	240,000	30,000	291,785
28	Thunder Bay	2,025	—	900	3,200	22,000	2,000	30,125
Total north central		23,660	25,000	1,500	3,700	268,500	32,000	354,360
27	Ignace	—	20,752	—	—	92,012	—	112,764
14	Red Lake	9,435	6,122	14,771	—	55,756	17,261	103,345
23	Kenora	4,825	28,300	—	—	168,023	11,066	212,214
Total northwestern		14,260	55,174	14,771	—	315,791	28,327	428,323
Grand total both regions		37,920	80,174	16,271	3,700	584,291	60,327	782,683

\*Note: Thunder Bay Fire 46 also includes area in Nipigon district.

\*\*Note: Pj D/S — jackpine direct seeding.

### INTERIM ANSWERS

On questions 283 and 284 by Mr. Breaugh, Hon. Mr. McMurtry provided the following interim answer: Additional time will be required to prepare the answers. I expect that the information will be available by November 10, approximately.

On question 299 by Mr. McKessock, Hon. Mr. Welch provided the following interim answer: Additional time is required to provide the information requested. The response should be available by November 10, 1980, approximately.

On question 300 by Mr. Warner, Hon. Mr. McMurtry provided the following interim answer: The information requested is currently being compiled by officials of the Ontario legal aid plan. We anticipate being in a position to table such information after the first week of November 1980.

On question 306 by Mr. Warner, Hon. Mr. McMurtry provided the following interim answer: The information requested is not available in the form requested and we anticipate being in a position to table the answer after the first week of November 1980.

### RESPONSE TO PETITION

#### DRIVERS' LICENCES

Petition, sessional paper 221, re: drivers' appeal board:

Subject: avenue of appeal when drivers' licences are terminated.

To: the ministers and members of the Ontario Legislative Assembly.

We, the undersigned, urge the Legislature of this province to take the necessary steps, as swiftly as possible, to establish a driver control board or drivers' appeal board to adjudicate when requested to do so on behalf of drivers who have had licences cancelled or drivers who have been required to turn in valid licences for any reason. Citizens whose livelihoods are dependent upon possession of a current and valid A, C or other type of driver's licence must be provided with some official avenue of appeal when such licences have, for any reason, been terminated, and the citizens of Ontario no less than the citizens of other Canadian provinces should be allowed this opportunity.

**Hon. Mr. Snow:** The Highway Traffic Act allows drivers, whose licences have been suspended by a decision of the registrar, to appeal their suspensions to the Licence Suspension Appeal Board. This does not apply to drivers who have been reclassified for medical reasons to a lower class of licence.

Ontario's standards for health, vision and hearing were developed and adopted after consultation with all Canadian provinces and are based on guidelines published by the Canadian Medical Association.

However, I would agree in principle with the thrust of this petition. There are cases

in which A-, B-, C- and D-class drivers who no longer meet all the medical requirements should have the opportunity to present a case to the registrar and, if necessary, to an appeal board.

Accordingly, I will be taking to cabinet revised regulations which will allow flexibility in the application of certain medical standards and will provide for appeals to the Licence Suspension Appeal Board.

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, October 23, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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THURSDAY, OCTOBER 23, 1980

The House resumed at 8:03 p.m.

House in committee of supply.

## ESTIMATES, MINISTRY OF NORTHERN AFFAIRS

**Mr. Chairman:** The estimates of the Ministry of Northern Affairs are before the committee. Does the minister have an opening statement?

**Hon. Mr. Bernier:** Yes, Mr. Chairman. I have a few remarks I would like to put on the record.

I am particularly pleased that both of my opposition critics are here this evening because I know the next several hours will be of a great deal of interest not only to the members of this Legislature, but certainly to the people of northern Ontario.

I am particularly pleased for the fourth year in a row to introduce the spending estimates of the Ministry of Northern Affairs. I do want to recognize some very important people who are in the gallery to listen to some of the discussions and some of the debates that will go on this evening. I am particularly pleased that we have members of the Ministry of Northern Affairs staff in the public gallery, along with some NOMA representatives.

NOMA, as the honourable members well know, represents the Northern Ontario Municipal Association. We have Mr. Jones, the mayor of Dryden, with us. We have his clerk, Mr. Wilf Wake, and the councillor-elect, Craig Nuttall, who are very interested in what happens in northern Ontario. We extend a very warm welcome to them.

This past summer has been a particularly exciting one for northern Ontario and certainly for the Ministry of Northern Affairs. We have had a forest fire evacuation, a very successful Ontario Place northern exhibition, and we have seen the creation of Ontario's first local services board. I might say that the first local services board in the north-west will be in none other than my home town of Hudson and the first to be recognized in the northeast will be in the community of Foleyet. Of course this follows on

the heels of legislation that was passed by this Legislature just last year.

This year, in fact this month, also marks the tenth anniversary of the founding of the cornerstone of the Ministry of Northern Affairs, and of course that was created back in 1977. The ministry itself is now well into its fourth year of advocacy and, of course, service to Ontario's northern region.

I think it is fair to say our role as a co-ordinating ministry or a co-ordinating body of the north for all government services has proved a very valid and effective one. I know there are some members of the opposition parties who do not agree. Some have even advocated the demise of the very popular Ministry of Northern Affairs. I think before the debates on the estimates of this ministry are over, we will hear more about that statement and that issue.

When the Ministry of Northern Affairs was created, there were those who questioned the move. But, while we may not have had many conversions across the board, I believe there are now more members on both sides of the House who would agree that a separate Ministry of Northern Affairs can provide and is providing a focus for more rapid and meaningful change than was possible in previous years.

Working with line ministries, we have been able to concentrate and tailor the delivery of government services and programs to the needs of northern Ontario, as well as to suit the special geographic, economic and social characteristics of that vast region. In doing this, we are co-operating with and not impinging upon—that is important, and I want to make it very clear—we are co-operating and co-ordinate with, and not impinging on, other line ministries and their specific responsibilities.

Putting it another way, my ministry strives to fill the gaps and augment the complete spectrum of government programs and services as they apply to northern Ontario. An examination of the ministry's budgets over the past few years, indicates four main developmental thrusts. In the order of amount of expenditure, these are: Transportation and communications, community infrastructure,

economic development and quality of life improvement; that is, social services such as health or cultural activities.

It is a measure of the ministry's accomplishments, I think, that indications point to investments in the community in many community infrastructures and transportation levels as major projects are completed. These would include such long-term projects as the major sewer and waterworks improvements taken in the city of Timmins by my ministry with the federal Department of Regional Economic Expansion and the remote airport development program carried out in co-operation and co-ordination with the Ministry of Transportation and Communications.

While the need for expenditures in these two areas may be levelling off somewhat, the demand for increased spending in the areas of community and regional economic development are rapidly increasing. Similarly, the need for increased support for such social services as the health and welfare needs of our northern senior citizens has grown. This growth is reflected in the estimates we are going to discuss tonight.

Not all the members here tonight may be aware that the Ministry of Northern Affairs is a greatly decentralized ministry with two thirds of its staff located in the north. This complement, our delivery personnel, includes two regional offices, with assistant deputy ministers and four separate program delivery branches.

8:10 p.m.

The 29 northern affairs officers across the north have been called the eyes and the ears of the ministry and are attached to the community relations branches. They are located in our regional offices in Sault Ste. Marie and Kenora. Northern affairs officers provide information to residents of their communities on the range of government services required by the ordinary citizen. In addition, the officers act as a link between the communities and the ministry's community relations branches to identify opportunities for community development or to carry community concerns back to the ministry. The northern affairs officers are the grass-roots base that makes the ministry really work.

In Sudbury and Thunder Bay, the Ministry of Northern Affairs maintains area officers, each with a regional and community development branch. These branches work in concert with municipalities and other ministries to develop plans to improve the quality of life in northern communities and, in particular, to respond to the local needs. The regional

and community development branches are responsible for the implementation of many of the programs that I will be touching on this evening. Support for their activities comes from the financial and program planning branch of the ministry right here in Toronto.

Also in Toronto, in only a support capacity, are the information and policy department branches responsible for delivery of the ministry's public information program and for the development of new policies respectively.

With that preamble, I would like to turn now to some of the specific activities of the ministry over the past fiscal year, with a view illustrating the programs for which the House is being asked to vote funds tonight.

As an example, I will take item 1 under vote 703: As in the past, activities aimed at economic and social development at the community level ranked high among the projects undertaken by my ministry over the past year. In contrast to the northern regions of other provinces, northern Ontario has only a small area that can be classified as the far north. Northern Ontario cities and towns were developed earlier than most northern Canadian settlements, and their maturity necessitates a more varied mix of services than would be required in Saskatchewan or Alberta.

As an example, last year we had the pleasure of hosting the northern ministers' conference at Thunder Bay. I might say at this point that this year's conference, one which this ministry initiated some three years ago, was held at Thompson, Manitoba. Representatives from nine provinces, the Yukon and the Northwest Territories were present.

I might say that Manitoba has made changes in its structure as it relates to northern Manitoba following much the same structure that we have here in Ontario. Saskatchewan informed us that it was moving from its total provincial responsibility to one of giving the responsibility closer to the people, in much the same way as we do in Ontario.

I was particularly pleased that Alberta spent some considerable time discussing with me personally the idea of a Ministry of Northern Alberta. As the honourable members may well be aware, that province now operates the Northern Alberta Development Council, which has a mix of provincial government representation and area representation; but they feel, after watching the suc-



cess of this ministry in Ontario, that that may well be the route they would follow.

I just interject that for the member for Nipissing (Mr. Bolan), because I know he is taking notes as to the route and direction the ministry in Ontario is taking. I am sure he will be pleased to know the interest we are attracting in other parts of Canada.

These services may include such community priorities as financial assistance for the construction of a municipal sewage and water system or the funding of economic feasibility studies. Last year my ministry was involved in funding the construction of or additions to industrial parks in three northern cities: Atikokan, Sudbury and Sault Ste. Marie.

I might say at this point that we are particularly pleased to be initiating a unique program, with the co-operation and assistance of the Ministry of the Environment, which involves the installation of a low-pressure sewage system in the small community of Belle Vallée. For several years now this small community has been striving to come up with a sewage system. Because of their location in an area that has a high water table, the cost of constructing the normal type of sewage system was beyond their reach. We looked to Saskatchewan, we picked up some ideas there as to how—

**Mr. Wildman:** We would like you to get some more ideas from Saskatchewan.

**Hon. Mr. Bernier:** We are not above taking some ideas and suggestions from those people in the other parts of northern Canada, but we picked up some ideas in Saskatchewan that we applied in the small community of Belle Vallée, and at the present time that sewage system is being installed with funding from the Ministry of Northern Affairs.

Our community priority activities under the northern communities assistance program embraces a range of projects, large and small. One of these, I guess, could be the Ramore heat project. At Ramore, we funded a new experiment in co-operation with the Northern College of Applied Arts and Technology. It will see the development of a greenhouse using heat from the TransCanada Pipe Lines generating and pumping station. It is a unique project, one that already has proven successful. During the first part of the experiment, they have grown a very large number of seedlings, which will be used in the Ministry of Natural Resources tree-planting program.

At the present time, they have about a quarter of an acre of greenhouse facilities

under cover, and that will be expanded to about one acre. The first run of tomatoes is coming on stream right now. In fact, I had hoped to have samples of that particular product with me tonight, but maybe before the estimates are concluded I can provide the critics of both opposition parties with a little sample of the success of that experiment.

**Mr. Wildman:** As long as you don't throw them at us.

**Hon. Mr. Bernier:** I am glad the member for Algoma spoke up, because it reminds me of a tremendous project we have going in Hornepayne, a \$9-million town centre development. There is none to equal it in Ontario. In fact, I had the opportunity of visiting that particular facility just two or three weeks ago, and I have to say that I was most impressed.

That particular facility will house a very large number of provincial facilities, from liquor stores to libraries, high schools, a hotel, 125 apartments for CNR employees, some 25 or 30 senior citizens' units, a Hudson Bay store and a long list of services that will be normally provided in any northern community along a main street. All these facilities in Hornepayne are under one roof with one common area that will be shared by all those involved. It was built in co-operation with the CNR and Hallmark Hotels.

The Ministry of Northern Affairs was the lead ministry in that particular development, and I just want to take a moment to compliment my own staff, particularly those people in the financial end of the Ministry of Northern Affairs, because it was they who put the package together to work out the shared costs among a number of ministries, and that was no easy task. In fact, I will have to single out the former financial director of the Ministry of Northern Affairs, Ron LeNeveu, for special consideration and special commendation, because he did an outstanding job. My present staff have picked up where Ron left off and are continuing his good work in pulling together that very exciting package for northern Ontario. I know people in many northern Ontario communities will be visiting Hornepayne to look at the success of that facility.

8:20 p.m.

I am pleased that the member for Algoma (Mr. Wildman) is nodding with enthusiasm. I know he shares my anxiety to get on with—

**Mr. Wildman:** I think the minister knows I have been involved in a number of meetings with his officials to solve some of the problems.

**Hon. Mr. Bernier:** It is truly an exciting complex, one in which we can all take pride and one which I have to say would never have come about had it not been for the Ministry of Northern Affairs taking the lead role in developing it and pulling it together. We pulled together not only the public sector but the private sector as well.

Another very interesting experiment we have going, one in which we have been very actively involved in co-operation with Shell Canada, is the Shell Woodex plant in Hearst. It will see all the wood waste in the Hearst area processed into small pellets that will be used in the generation of heat and to feed the boilers of a number of paper companies in northeastern Ontario. That plant will use all the wood waste from a number of sawmills and plywood plants in the Hearst area along with the waste that comes from the actual forest, even to the branches and bark. The wood waste is ground up into a powder form, put through a system of drying and then compressed into small pellets about the size of a lead pencil. They are very high in BTU content. I am sure this is a process that we will see developed in other parts of northern Ontario as the success of this plant is recognized.

An important aspect of the ministry's community priority role is its responsibility to small resource-based towns that may be growing too rapidly to meet the demand on their services. Here, the Ministry of Northern Affairs is able to act swiftly and flexibly in answer to a town's growth with funding for essential services, such as roads, water and sewage. Similarly, the ministry often has a special role to play in emergency situations.

Here I must refer to the very active role the Ministry of Northern Affairs played in the development of the very exciting new community of Field. I know the member for Nipissing was very active; he visited that community on many occasions during its very disastrous flood and raised the issue on many occasions. But here again the lead ministry concept came into operation. The Ministry of Northern Affairs took the bull by the horns, so to speak, and now we have that entire community moved to higher ground. The area that is the former location of the community will eventually be turned into a provincial park.

That area has been flooded three or four times and it suffered a hurricane at one time in its history. But now the community has been completely moved to higher ground with the assistance of substantial contributions from this government, and we can take

pride as northerners that we have a new community and new homes that these people can take pride in. The financial burden on these people has not been as great as we originally feared. In fact, they moved with excitement and with a tremendous amount of co-operation.

Here again, I want to single out the staff from the Ministry of Northern Affairs in the northeastern region. Headed by my assistant deputy minister, Herb Aiken, they were most effective in putting this whole package together. The operation saw the various ministers pulling together in one direction and doing it expeditiously and without the least amount of fanfare or problems. To them I take off my hat.

I also want to compliment and congratulate my staff from the Ministry of Northern Affairs in the Kenora region. As members know, it was on the call of the Ministry of Northern Affairs that we moved into a system of evacuation of the towns of Red Lake, McKenzie Island, Cochenour and Balmer-town. Thirty-six hundred people were moved out to places in Manitoba, such as Gimli, Rivers and Brandon without incident. We moved people out of the Midland Bay area, out of the Redditt area, again without incident and without any hardship and without any loss of life. Those people were all brought back and paid out-of-pocket compensation to look after those minor expenses that occur in such a disaster.

It was the first time in Ontario's history that an evacuation of this size had ever been undertaken; so we had nothing to fall back on; no previous experience. It was done expeditiously and with finesse that I am particularly proud of. I want to compliment the staff in that region for an outstanding job on behalf of their community in the northwest.

Other applications for funds in the community priorities branch in our budget include new or expanding airport facilities. Very recently, I had the pleasure of being in northern Ontario with my colleague the Minister of Transportation and Communications (Mr. Snow); we went into Algoma riding and Lake Nipigon, Mr. Speaker's riding. We opened up new airports at Terrace Bay and Hornepayne as well as the new terminal facilities at Wawa.

I know the members opposite will agree with me that we have airport facilities second to none on the North American continent. Not only the paved airstrips but also the terminals are excellent. We have one weakness I will recognize which causes me some concern: navigational aids. That is an area where we would like the support of those



members opposite who have some influence with the federal authorities; perhaps they could lean on their cousins in Ottawa a little harder.

**Mr. Kerrio:** They're your kissing cousins too.

**Hon. Mr. Bernier:** They are my friend's kissing cousins, or brothers or sisters.

I say to those members opposite to feel free to assist us, because I know the Minister of Transportation and Communications is constantly putting pressure on the Department of Transport to answer his requests and my requests to improve the navigational aids in northern Ontario. Their support would certainly be welcome and well received.

On this particular vote, I want to touch on the construction of physical facilities for social and cultural purposes. Here again, my ministry was instrumental in pulling together an important facility which was very much needed in the town of Dryden. We developed, in co-operation with the Ministry of Community and Social Services, a minimal care home, which is a facility between the senior citizens' units and the homes for the aged. It was developed in the town of Dryden and it is a credit to that community and the entire area because it will serve the communities of Ignace, Sioux Lookout, Hudson, Wabigoon, Dryden, Vermilion Bay and Red Lake Road as well as the large community of Dryden.

To those members who come to the Dryden area, I would extend a very warm welcome to them to visit the Dryden minimal care home. It was developed in co-operation with the local citizens. A separate nonprofit corporation was established, made up of local individuals who had the sincere desire to develop a facility in the north comparable to what is existing in southern Ontario, and they have succeeded. To them, I extend my personal thanks and sincere congratulations.

8:30 p.m.

In this field, we can report some considerable progress with respect to the municipal advisory committees. In the northeast and the northwest, the Ministry of Northern Affairs has been given a responsibility to be the liaison with the municipal advisory committees commonly known as MAC Northeast and MAC Northwest. We have them both functioning exceptionally well.

A new constitution has been brought forward. I believe the group in the northwest has accepted that new constitution. The group in the northeast has some questions. I am concerned about that. But I think we

will reach a common ground, one that will serve to meet the needs of the northeast, relatively soon.

The municipal advisory committee is a group, established under the municipalities, that can give this government a direct, grassroots feeling from the municipalities as to the direction in which they would like to see their respective areas move.

I am especially proud of this ministry's initiatives in the area of resource development. With the Ministry of Natural Resources, we are administering the Ontario geological survey. Last year we saw returns on this program when the results of the Kirkland Lake geoscientific study was released, stimulating, I might say, a significant increase in mining exploration in that area.

Also, under this vote in that area, we embarked on a unique development in co-operation with Ontario Hydro. It is the Sultan low-head generating station.

**Mr. Kerrio:** Hydraulic?

**Hon. Mr. Bernier:** Yes. It is a hydro development which, when it comes on stream, will provide electrical power for that small community.

**Mr. Kerrio:** It is the only way to go.

**Hon. Mr. Bernier:** Yes. I agree with my friend. I am one of those people who see the 1980s being dedicated to an electrical system across this province because, in my opinion, if there is one way in which society in this province should move, it is in the direction of electricity.

**Mr. Bolan:** Burying waste in northwestern Ontario?

**Hon. Mr. Bernier:** No. I want to make that correction. We have a responsibility if we have a nuclear program. As I said this afternoon in an answer during question period, we have a responsibility as citizens of this province to find a place for the waste.

**Mr. Bolan:** In northern Ontario?

**Hon. Mr. Bernier:** We do not have any more or less of an obligation—

**Mr. Bolan:** Are you denying that you said it?

**Hon. Mr. Bernier:** I did not say it. I certainly am denying it. What the newspapers print is their business. I cannot dictate what they print.

**Mr. Bolan:** Are they wrong?

**Hon. Mr. Bernier:** I can tell my friend what I said.

**Mr. Bolan:** Just admit the truth.

**Hon. Mr. Bernier:** That is the truth. We have no less and no greater an obligation to look after nuclear waste than any other part of this province.

**Mr. Bolan:** The tape recorder misquoted you again.

**Hon. Mr. Bernier:** I am glad there is such enthusiasm with regard to the development of electrical power in this province.

**Mr. Kerrio:** Hydraulic. Say it: hydraulic.

**Hon. Mr. Bernier:** It is hydraulic. But I have to tell my friend, in answer to that question—maybe I should not get into chit-chat across the House—that there is a limit as to how far we can go with regard to the hydroelectric systems in northern Ontario. We have our native population to consider. We have the environmental consideration, of course, that will have to come into the development of any hydroelectric facility.

But I think there are areas in northern Ontario where we can provide low-head generating systems, compact units that can provide electrical power for those small communities, not to go into the overall provincial grid, but to look after the needs, even if it is only on a part-year basis. It may well be that in the severe winter we cannot provide hydroelectric power, but there are standby diesels to look after that particular period. I am glad the honourable members agree with me on that issue.

With respect to vote 703, as I said earlier, many of the northern communities are well-developed towns and cities rivalling those in the rest of Ontario for size, industry and amenities. Nevertheless, the majority of this province's unincorporated or unorganized communities are in northern Ontario. My ministry is charged with assisting these small communities in obtaining basic services, such as fire protection or a safe and secure water supply.

With the passage of Bill 122, allowing for the formation of local services boards in unorganized communities, there are now two funding avenues available to residents of these communities, the other being, of course, the isolated communities assistance fund.

The isolated communities assistance fund, as we all know, was established to meet the basic service needs of unorganized communities too removed from existing municipalities to contract with them for services or consolidate with them establishing the criteria. We have been careful to encourage local initiative and not replace any ongoing government programs. This fund covers only the capital costs of the services provided.

Complementing the ICAF program is the new local services board legislation, which for the first time makes it possible for residents of an unorganized community to create a corporate body with powers to raise moneys locally for the provision or improvement of basic services. These services could include fire protection, water supply, recreation, street lighting or even garbage collection. The important thing here is that there is now a mechanism to get these services which most of us take completely for granted in southern Ontario but which many northern communities have had to do without. An important thing also is that the cost of those services can now be shared equally among the area to be serviced by the local services board.

As I said in my opening remarks, the first two local services boards will be established within the next several weeks. In fact, the first one will be established in Hudson on November 8, when we will have an official swearing-in ceremony.

**Mr. Cunningham:** In downtown Hudson? What time?

**Hon. Mr. Bernier:** Downtown Hudson; it's a great little community. Believe it or not, the town of Hudson was named "the biggest little town in Canada" back in 1939. If honourable members have a spare hour, I could tell them about the history of Hudson, because I am particularly proud—

**Mr. Wildman:** You were Liberal then.

**Hon. Mr. Bernier:** Back in 1939—

**Mr. Cunningham:** You were the biggest little Liberal in town.

**Hon. Mr. Bernier:** No, I think it was NDP. My riding was Liberal; it is so long ago, we even forget how long ago it was. But in 1966, I might tell honourable members, the people of Kenora riding saw the light. They were tired of being in the political wilderness. Of course, they voted a member of the Ontario government party to their team, and they have seen the results. I am confident we will be around for—

**Mr. Kerrio:** If you ship much nuclear waste up there, it is going to be Liberal again.

**Hon. Mr. Bernier:** I will make sure that does not happen.

From the government's point of view, all ministries now will be able to look to the local services board of an unorganized community as a point of contact for advice and consultation on matters that could affect that pocket of population. I will not call it a community, because in some instances I know it will not be a community, but a pocket of



population—maybe as few as 25, 30 or 40 people. Nevertheless, they will band together in a common effort to provide for themselves the basic, essential services.

Here again, I want to thank the members opposite for their support of that particular bill. I think we have a good bill. I think they will agree with it. I hope they mention this in their replies, because it is in place. The compliments and reaction I have received right across northern Ontario are most encouraging. In fact, they say it is a bill they can understand for the first time. Our effort here in the Ontario Legislature was to make sure we had a piece of legislation that was effective, workable and, of course, understandable.

**Mr. Bounsall:** As amended.

**Hon. Mr. Bernier:** There were a couple of amendments, but we are not above taking some advice or suggestions. We are not perfect on this side of the House. We are near perfect, but we are not perfect. In an imperfect society it is hard to be perfect.

Vote 703, the last item in the ministry's estimates, is the northern community assistance program—for which the members will be asked to vote and that covers the telecommunications facilities operated by the Ontario Northland Transportation Commission on the James Bay coast. These facilities provide an essential service to the residents of such communities as Attawapiskat, Winisk and Fort Severn by bringing a basic level of telephone, radio and television service to these far-flung regions of northern Ontario, the really remote area, the real north of this great province. The ministry pays annually an operating subsidy to the ONTC for the net losses incurred in the operation of this system.

8:40 p.m.

I might say on this point that we have been exceptionally vocal on behalf of the people of northern Ontario in our efforts to try to improve the general television service in northern Ontario. We presented a very strong and forthright brief to the Canadian Radio-television and Telecommunications Commission when it held its hearings in Geraldton. It was a brief that received the support of all northern Ontario municipalities; it was very pointed and, I think, a little stronger than what we have normally come forth with. But, quite frankly, we in our ministry are a little frustrated and disturbed at the lack of direction that has been given by the federal government and the CFTC—

**Mr. Kerrio:** Oh, now we are going with the old "feds" stuff again.

**Hon. Mr. Bernier:** Well, it is true.

**Mr. Kerrio:** What about TVOntario?

**Hon. Mr. Bernier:** I encourage the honourable member to come to northern Ontario and to go to Geraldton, Hudson, Foleyet, Batchawana Bay and a few other places. Or let him go to Wawa and ask the people in Wawa what they think of the television service they are getting in their community. All we are asking for is a service that is comparable to that in southern Ontario—nothing more and nothing less—because we are entitled to it. I can tell the honourable member that the efforts of my ministry will not be lessened or stopped, and we will not sit back idly and watch this frustration go on much longer.

**Mr. Kerrio:** TVOntario should have gone there first.

**Hon. Mr. Bernier:** On that particular point, I want to tell the honourable member that my ministry, in co-operation with the Ministry of Transportation and Communications and TVOntario, now has 46 dishes located in northern Ontario, in a pilot project, where we are bringing TVOntario into many of the homes and service centres in northern Ontario. It is working exceptionally well, and I was told just today that the experiment, which was to have come to a conclusion in February of next year, will be extended by 19 months; so it is good news.

There again we were involved. Sometimes it is the initiative, the creative northern atmosphere that we have in the Ministry of Northern Affairs that kind of spurs some of the other ministries to do the things we want in northern Ontario. I just hope—

**Mr. Wildman:** You just have to turn those dishes a little bit and you can pick up Atlanta.

**Hon. Mr. Bernier:** I must say, as one who comes from a small northern Ontario community that has to rely totally on CBC for 12 or 14 hours a day, that I look forward to the day when I personally can buy a television dish that I can aim at the satellites. I am not particularly concerned whether it is American or Canadian television. I say that sincerely. I want the entertainment. I want the recreational experience that comes from being able to choose. The member for Algoma (Mr. Wildman) will agree with me when I say, when it comes to Wednesday night, I want to be able to watch a hockey game; I am not worried whether it comes off an American satellite. We have been in the wilderness too long as far as good television service is concerned, and it has to improve.

The almost incredible size of northern Ontario has been one of the greatest impediments to its development. Our regional priorities activity, under the program of the same name, comprises several avenues of approach to this particular problem. I think I can relate to honourable members the experience I had just this fall on the delivery of services to remote areas of Norway.

I receive many letters from members opposite and from people in northern Ontario advising me to go to other parts of this world to see how they are delivering their services to far-flung communities in their remote areas. I can tell honourable members that Norway is not a place that I would recommend for a holiday. It is certainly not a place to go for a junket. But it is a place to go to compare what we are doing in this province with what they are doing in Norway.

**Mr. Bolan:** Do they have as much unemployment as we have in northern Ontario?

**Hon. Mr. Bernier:** Yes, they have their problems. In fact—

**Mr. Bolan:** Do they have the 75 per cent unemployment that we have in small communities like Moose Factory?

**Mr. Chairman:** Order. There will be lots of time later, after the opening statements, for questions.

**Hon. Mr. Bernier:** One of the questions we asked was, "How do you deal with single-industry communities?" We learned that they have experienced the same frustrations that we have here in Ontario. It is very difficult to deal with those mining communities where the ore body has been exhausted. We are dealing with several hundred firmly fixed families and to provide employment on an ongoing basis—

**Mr. Wildman:** You are helping them out by letting Falconbridge ship the ore over there.

**Hon. Mr. Bernier:** It is not the Falconbridges; it is the other communities. I think the Sudburys will survive, but I am concerned about the small communities like Pickle Crow, South Bay Mines, Atikokan, Kirkland Lake, Geraldton and a few of those.

We are attempting to foster the regional economic development of the north through industrial development, tourism, road construction, resource development, agriculture and the funding of social and medical services.

On this point I can refer to our efforts right here in Toronto with Ontario North Now, a \$1-million-plus development. It is

a northern Ontario showcase at Ontario Place that has had very close to 100,000 visitors, and it is truly the pride of northerners. There will be some constructive criticism, I hope, coming from the other side about this development, but I think the point we have to accept as northerners is that the concept was right and we did it in nine months.

We developed a theme park, a northern Ontario showcase, which has never been tried before in Canada. It has attracted the imagination of not only the municipalities of northern Ontario—because they were involved through the Association of District Municipalities—but also the private sector. I defy any member of this House to point to another facility that has had that kind of involvement. In fact, when the private sector contributes close to \$650,000 of its own money into that facility, on top of what the government did to put the capital dollars in place, that is a true involvement by the entire community.

We have the facility there, it is second to none and it is truly a showplace. It certainly will be modified; there will be changes. We have had some good constructive criticisms from a number of people as to how we can improve our displays; maybe that could be a little bit more imaginative, and maybe we could have more animation in some of them. When these are in place the facility will truly be something the north can be proud of, and will attract the interest of those living in southern Ontario.

I can remember the attitude in this House towards the development of Ontario Place itself. The architect of that facility was criticized, laughed at and jeered at in many instances in this House, because he developed Ontario Place as it is today. But I bet every member on the other side encourages constituents to go to Ontario Place. I hope they would now take advantage of, and include, Ontario North Now.

**Mr. Kerrio:** We are trying to cut down on the deficit of Ontario Place. Naturally we want people to go.

**Hon. Mr. Bernier:** If it is in the hole, we want to share part of that expenditure and attract some of the interest to northern Ontario. I think we have been exceptionally successful so far and we will continue to be.

We have also developed the Lake of the Woods Parkway Commission, a commission that works very closely with the Mississippi River Parkway Commission, which moves traffic from New Orleans clean up to the Lake of the Woods area; it has been in place for some 25 or 30 years now. It has some



international flavour. When the government of the United States pumps funds like \$90 million into the development of the parkway along the Mississippi River, it is obvious we should funnel off some of that traffic into Ontario and into Canada. We are doing that with gusto and enthusiasm.

8:50 p.m.

Another area we are involved under this vote is the development of my pride and joy, one that I am sure will see members from both sides of this House visit on a very regular basis. It is one they will enjoy in the comfort and the wilderness of northwestern Ontario, one that will be a world-class resort, second to none in the world, and one that will focus tourist attention on northwestern Ontario to a degree that has never happened before. Of course, members know I am referring to Minaki Lodge.

**Mr. Wildman:** It has already attracted enough attention.

**Mr. Kerrio:** It is one of the eight wonders of the world.

**Hon. Mr. Bernier:** It is all right for the people in southern Ontario, 1,200 miles away, to point a finger at what is up in northern Ontario and to condemn it, to cast stones on it and to jeer at it. They have never seen it; they do not know what it is really like. But those people who do go to Minaki Lodge cannot believe a facility like that is there. It is so beautiful, so outstanding, that they join with us in the enthusiasm of getting it finished and getting it operational.

**An hon. member:** When?

**Hon. Mr. Bernier:** In 1982.

**Mr. Bolan:** Tell us about the company that's managing it.

**Hon. Mr. Bernier:** Yes, I will talk about the company that will be operating it. We have entered into a long-term lease with Radisson Hotels of Minneapolis. Those members who have been to Minneapolis, I am sure have visited the Radisson Hotel and—

**Mr. B. Newman:** You know what they did in Detroit, don't you?

**Hon. Mr. Bernier:** Yes. That was Detroit. That is exactly right, and I am sure the member for Windsor-Walkerville knows very well the hotel that Radisson took over. It was a disaster from day one, but they picked up. They have an explanation, and I am sure the people in Detroit are very much aware of that hotel and the problems associated with it.

But the success of Radisson Hotels in the northwest has been unmatched and unparalleled. They have been involved with a number of resort facilities in northern Minnesota. One, incidentally, is located on a federal Indian reserve just south of Thunder Bay. It is operated by Radisson on behalf of the native people in that area. That shows the attitude and the feeling and the managerial expertise Radisson has. They have shown they can operate a facility in that type of atmosphere and that type of wilderness that is acceptable to the general public and those who own the facility.

**Mr. Cunningham:** Within a million, how many million?

**Hon. Mr. Bernier:** I believe we have spent something like \$6 million or \$8 million to date.

**Mr. Cunningham:** What is the total?

**Hon. Mr. Bernier:** We will not know until the tenders are in.

**Mr. Cunningham:** Ball-park.

**Hon. Mr. Bernier:** I would estimate we would have to spend at least another \$10 million.

**Mr. Cunningham:** So we are talking about \$20 million and change; right?

**Hon. Mr. Bernier:** I make no apologies for what we are spending on Minaki Lodge.

**Mr. Kerrio:** Who will bid \$25 million?

**Mr. Chairman:** Order.

**Hon. Mr. Bernier:** There are excellent roads, excellent transportation facilities—there is an airport right there—and there are year-round facilities for skiing and snowmobiling, as well as a convention centre. The honourable gentlemen opposite will all be there; they will be taking their wives and families. Their children's children will look at Minaki Lodge as the exclusive recreational area in northwestern Ontario, believe me.

**Mr. Bolan:** Will all the members have a pass?

**Hon. Mr. Bernier:** No. There will be no free rides at Minaki Lodge. It will be operated by the private sector. It will be operated at a profit.

**Mr. Kerrio:** No way.

**Hon. Mr. Bernier:** After three years it will make money. But the members opposite should not look for any gifts, a political free ride, because they will not get it at Minaki Lodge. They will pay their way, and everybody else will pay, and it will not be a cheap place to go.

The member for Algoma would love us to get involved in King Mountain. I am sure he will stand up and promote King Mountain. He should, and he has my support.

**Mr. Wildman:** How much investment?

**Mr. Chairman:** Order. Let the minister complete his remarks; then we will hear from other members.

**Hon. Mr. Bernier:** I could go on to some other involvements we have been actively pursuing. There was the appearance of the ministry at the sports shows in many of the northern state communities and our appearance at the ski show right here in Toronto—all designed, of course, to promote travel into northern Ontario, and I might say quite successfully too.

As part of its regional priorities commitment, the ministry undertakes joint ventures with the federal Department of Regional Economic Expansion to finance significant regional infrastructure programs aimed at enhancing economic opportunity and job creation in northern Ontario. An example of these is the Timmins water services and our assistance to the pulp and paper industries.

In areas of transportation, the regional priorities activity includes construction or improvement of airports in the remote northern communities. These airports provide year-round access, help reduce the cost of food, supplies and fuel, and improve the delivery of mail, materials and various health services.

Just this year, we completed two additional airports in northern Ontario. I hope members will give some consideration to a northern tour to look at all our facilities. The time has come for this ministry—and I will just think out loud—to bring some of our northern members, and even our southern members into the north to visit such places as Webequie and Bearskin Lake where we recently completed the development of two airstrips.

The Minister of Transportation and Communications (Mr. Snow) and I were headed in to open those airports last September but, because of weather conditions, we could not reach the particular facilities and communities. We will be going back again early in 1981 to participate with the local community in heralding and signalling a new mode of transportation, a system that provides them with 24-hour service, year-round transportation access, which they never had before, and has brought in transportation services from a number of aviation companies. Many of those communities would not receive mail for two and three weeks at a time, but now

they finally get daily mail service because of the airstrip development program.

We have come a long way, and I guess my only complaint is that maybe we are a few years behind and should have done it earlier. Nevertheless, it is in place, and I can see us winding up that particular program in the not-too-distant future, because practically all the remote communities of northern Ontario will be serviced with airstrips.

As I said earlier, northern Ontario's enormous distances, coupled with its sparse population and dependence on resource industries, make effective transportation a key requirement in the region's continuing development.

Commanding a sizeable portion of this ministry's budget is the northern roads activities under our regional priority program. Our objective here is to provide a modern highway system of a calibre to facilitate the continued economic and social development of the north. The road program provides for the construction of King's highways, secondary highways and tertiary roads.

We carry out the various projects in each year's mix with the Ministry of Transportation and Communications, which implements the priorities determined by the Ministry of Northern Affairs. In other words, we set the highway construction program for northern Ontario after careful consideration with our regions, with our communities and, indeed, with the Ministry of Transportation and Communications engineering experts in northern Ontario.

On October 31, I will be with my colleague in northwestern Ontario to officially open the Manitou Road, the new road linking the town of Fort Frances with the town of Dryden, a 92-mile road that will be completely paved by the end of this month at a cost of close to \$30 million. It is the largest transportation development project we have seen in the northwest for a number of years.

That official opening will be a gala event. The town of Fort Frances, along with the town of Dryden, is co-operating with both MTC and MNA to put on an official opening that will attract interest rights across the northwest and will spill over into the United States to assist our tourist operations and encourage many of our pulp and paper companies and sawmills to use a new connecting link to the United States and to other parts of northern Ontario.

9 p.m.



The aeroplane has played a major role in northern development and continues to shrink the vastness of that great region. In this connection, one of the real success stories of the north has been the growth of norOntair. Now serving 21 communities on a regular basis, norOntair's passenger subsidy has dropped to \$7.14 last year from \$12.48 in 1975. In some months in 1980 we have been in the black. We move 125,000 passengers across northern Ontario, serving 21 communities; and we have just brought the town of Cochrane in as the twenty-first community in the system.

We have completed an in-depth study into the needs of other communities. We have prioritized six additional communities that will be coming on stream shortly. We will be co-operating closely with the private sector to make sure that if they can provide the service norOntair will not become involved.

**Mr. Kerrio:** What about the Northlander? You have to get something going there.

**Hon. Mr. Bernier:** That is a nice train.

**Mr. Kerrio:** But on the weekend you can't get on it.

**Hon. Mr. Bernier:** We'll have to have a double section; that is what we should have. Maybe we will put norOntair on and you can fly out. That might be the answer.

Speaking of additional services, I am sure the honourable members are aware of the initiative taken by the Ministry of Northern Affairs to purchase two of the first Dash-8 aircraft. The aircraft is still not off the drawing board per se; it is still in the design stage. We have ordered and put a deposit on two Dash-8s. The Dash-8 is a 30-passenger, twin-engine de Havilland similar to the Dash-7.

**Mr. Bolan:** Where are you going to use them?

**Hon. Mr. Bernier:** We have not decided yet. There are at least three legs on which we could use the Dash-8, most of them in the northwest region at the present time, but that may change by 1983 when they come off the production line.

The initial order for those two aircraft triggered development of the Dash-8 by de Havilland. They now have orders from 18 different countries around the world, and those orders total close to 96 aircraft. The first two orders by the Ministry of Northern Affairs acted as a catalyst that assisted de Havilland in going around the world. It shows the initiative this government has in the aviation development industry in

our own province and in our own country. From the Premier (Mr. Davis) and the Treasurer (Mr. F. S. Miller) down, all supported that particular proposal with enthusiasm.

Our hope now is that the plant to produce this aircraft will be located in Ontario. Here again, I would encourage those kissing cousins who may have some friends in Ottawa to prevail on them to look to Ontario as the site for the development of that new de Havilland plant.

**Mr. Kerrio:** They do not talk to us any more. You have them in your hip pocket.

**Hon. Mr. Bernier:** It is important that we keep the aviation industry in this province. We have the expertise here, the component part development industry is here, and certainly we are not unmindful of the idea that, since we put an order in for the first two aircraft, that would put us in a good position to lean on de Havilland as hard as we could to bring that particular plant to this province. With the co-operation of the Minister of Industry and Tourism (Mr. Grossman), and the Treasurer, we are well on the way to achieving that goal; I certainly hope so.

The subsidy we provide for norOntair requires no apology. One of my ministry's most important mandates is to provide better transportation across the north through the passenger services of the Ontario Northland Transportation Commission.

**Mr. Bolan:** Why are you trying to get rid of the rail services and buses?

**Hon. Mr. Bernier:** We are not. The fact that different elements of the ONTC system have been able to make gains in passenger traffic is both encouraging to me and proof that we are moving in the right direction with our support for these services. I have just mentioned the tremendous strides we have made in norOntair and our purchases of the Dash-8 aircraft; all this is a result of the efforts of ONTC.

We went a step further this year to add a little bit of human interest to our fleet of norOntair aircraft. We named four of the eight Twin Otter aircraft we have operating in northern Ontario after those northerners who have contributed to the development of aviation in northern Ontario.

I was in Sault Ste. Marie to name two aircraft in the northeast, one after a former Deputy Minister of Lands and Forests, Frank MacDougall. It was Frank MacDougall who really triggered the development of the de Havilland Beaver aircraft. In fact, he recognized the need for a special type of Canadian bush plane.

He asked for proposals; he told the industry the type of aircraft he wanted after consultation with a number of the pilots from the Lands and Forests fleet. He asked the pilots personally: "If you designed an aircraft, what would you want in it? What type of aircraft would you want? Give me a list of all the characteristics you would want."

He took a list of all those requirements to the industry and out came the de Havilland Beaver, and of course they bought the first 25 of those aircraft that came off the assembly line right here in Toronto.

From the de Havilland Beaver, of course, came the Otter and a number of other aircraft that we see being manufactured. It has truly made de Havilland one of the finest aircraft manufacturing companies in the world.

Those two aircraft were named in Sault St. Marie, one, as I said, after the Deputy Minister of Lands and Forests, Frank MacDougall, and another after George Phillips. George Phillips was a pilot with the Department of Lands and Forests. I might say I had the pleasure of knowing these two gentlemen personally, and I know of the contribution they have made to civil aviation in this province, in this country and particularly in northern Ontario. George Phillips was the recipient of the McKee Trophy, the highest award you can receive in the civil aviation field in Canada.

In Thunder Bay we named two aircraft; one was named after a pioneering sort of gentleman known to us as Orville Wieben. He operated Superior Airways out of Thunder Bay into the north for a number of years. He was a pioneer; there is no question about it. His experience related back to the Second World War when he was actually a test pilot for the Hawker aircraft that came off the Canada Car assembly line in Fort William, now known as Thunder Bay. From that he moved up through the ranks to his own aircraft company, which served many communities of northern Ontario and made a real contribution to opening up that part of northwestern Ontario.

Every Christmas, Orville Wieben would load up his DC3 with gifts from the city of Thunder Bay and at his own expense would fly out to the very remote areas of northern Ontario, the small Indian communities, and personally deliver toys and goodies to the Indian children of those communities. He was known as the flying Santa Claus. He has been recognized on many occasions, and it was indeed an honour for me and all those in my

ministry to recognize him and to name one of our aircraft after Orville Wieben.

The fourth aircraft was named after Robert Starratt, who was very active in the development of the Red Lake gold rush. He operated in none other than my home town of Hudson and developed one of the largest small, northern aircraft companies then in Canada. In fact when he sold, he sold out to Canadian Pacific Railway, and his aircraft company actually was the foundation of what we know today as CP Air. His contribution to the development and opening up of the north has been unchallenged and unquestioned, and his legend reigns on in northwestern Ontario. In fact, his two sons are still operating an air service out of the small community of Hudson.

We have a little bit of human feeling and recognition—and recognition does not cost that much—but I want to take the opportunity to put on the record the contribution that these northern pioneers have made to opening up northern Ontario. I was particularly pleased that we had the opportunity to recognize them in a very positive and lasting way. I can tell the honourable members that the acceptance of the people of northern Ontario was most heartening indeed. We owe it to those people who made such a contribution in our best interests in the earlier years when things were much more difficult than they are today.

9:10 p.m.

In vote 704, another regional priorities activity that the ministry is pleased to be involved in is agricultural development and assistance to northern farmers. Not all the members are aware, I am sure, of how much arable land the north really contains and how much farming actually takes place in northern Ontario. The northeast clay belt is one of the province's most fertile areas. We have been carrying out a number of projects there, particularly the Timiskaming pasture project, but northwestern Ontario also has its share of agricultural activity.

**Mr. Kerrio:** Goat farming.

**Hon. Mr. Bernier:** I will leave that to my friends from Sudbury to comment on.

**Mr. Kerrio:** You mean Elie.

**Hon. Mr. Bernier:** I regret the members for Sudbury East (Mr. Martel) and Sudbury (Mr. Germa) are not here tonight to tell us about that experiment.

**Mr. Wildman:** The Ministry of Natural Resources estimates are on in committee.

**Hon. Mr. Bernier:** Oh, okay. I am sure they will be here before we are finished. I hope they are.



We are working very closely with the farming community in Rainy River, as was announced and spelled out to the NOMA delegation, in trying to come up with a special program to assist it in the clearing and drainage problems that are unique and special to the Rainy River area.

I mentioned earlier the ministry's increasing commitments in the area of medical, dental and social services. In co-operation with the Ministry of Health, we are continuing to work to provide more and better medical and dental services through the jointly funded programs.

I think the members are all aware of the funds we have been using to purchase and install medical and dental facilities throughout northern communities. We are also assisting municipalities in a capital way to provide combination medical and dental centres such as we have in Larder Lake; In fact, on Monday next the official opening of the new medical centre in the riding of the member for Rainy River (Mr. T. P. Reid) will take place. It is an outstanding facility that, it is hoped, will be a magnet to attract doctors into that particular area.

Last summer I had the pleasant opportunity of joining the community of Red Lake in opening its brand new medical facility. It will house at least four doctors. The officials are today down here in Toronto, moving around through the medical profession pointing out the amenities of their community and how they can provide the doctors who locate there with the finest medical facilities. We were particularly pleased to be involved in that kind of project, which I am sure is going to spread to many communities of northern Ontario.

I am sure many members are aware of the bursary program that we are involved in with the Ministry of Health. It is hoped that it will attract medical and dental students to the underserved areas of northern Ontario. We supply them with direct financial assistance in the last two years of their medical education with the express understanding that they will spend at least two years in northern Ontario. It has been exceptionally well received. We are now extending it into the field of audiologists and speech pathologists. So we are expending our bursary program considerably to get those specialists into northern Ontario.

We are working closely with the Ministry of Health to provide incentive grants to encourage medical specialists to set up practices in the underserved areas of northern Ontario. In addition to that, we are operat-

ing a mobile hearing clinic in northern Ontario. I am informed that something like 152 doctors and 40 dentists are practising in underserved areas of northern Ontario this year. Next year, we hope to have the figure up to 188 doctors and 43 dentists.

In addition to this, we are working closely and in a co-operative way with the Ministry of Health in putting together a unique and interesting proposal for an air ambulance system in northern Ontario. I might say that one of the issues we examined closely while we were in Norway was the aero medic system they have established in that particular country. It is a very exciting system, one that has a tremendous volunteer contribution or public contribution from individual membership that intrigued us immensely.

We hope to have something in place in northern Ontario by the end of this year, as it relates to the announcement in the throne speech, and that we will see helicopters and fixed-wing aircraft located in northern Ontario to bring patients in need of medical care not just down to Toronto, but to the major medical facilities in Sault Ste. Marie, Sudbury and Thunder Bay. If we constantly bring our medical patients or those requiring medical attention to Toronto and such places as Winnipeg, we will never have the medical facilities that you and I want in northern Ontario.

**Mr. Wildman:** What about the OHIP travel costs?

**Hon. Mr. Bernier:** We are looking at all those areas. It is an area that has attracted the attention of both the Ministry of Health and my ministry, so it is under active review and study at this time.

I think we can take comfort from the fact that once this air ambulance system is in place, all of us living in northern Ontario will be within one hour of a major medical facility no matter where we are. If we are in Pickle Lake, Red Lake, Attawapiskat or Wopanam, there will be a facility there to take us to a major medical centre. I think that is a milestone in the medical service and delivery of that service in this province.

In the field of art, we are also involved in assisting the Ontario Arts Council in looking after the special needs of northern Ontario as they relate to the exceptional costs of moving cultural facilities, art collections, and so on. The Thunder Bay Symphony Orchestra is a good example. It could not move to Rainy River, Geraldton, Longlac, Manitouwadge or Red Lake without some special assistance from the Ministry of Northern Affairs. We strongly felt we should

be providing some extra assistance to those communities that are so remote and do not have the opportunity of seeing and enjoying some of the cultural activities that some of us in the southern part of this province take for granted.

We have been instrumental in bringing forward a new and exciting water safety program for our native community. As the members know, there was a disaster in Big Trout Lake a year or two ago when five of one family were drowned. After the report of the coroner's inquest came down it was obvious to us that its recommendation that there be a water safety program in the small communities of northern Ontario was a very real one, so we instituted a water safety program in co-operation with the Canadian Red Cross. Acceptance was overwhelming, a little larger than we really anticipated. The attendance by the children of those Indian communities was very heartening, and we certainly will be continuing the program next year.

As all members are aware, in 1981 we will see the Canada Games in Thunder Bay. We have been working with the secondary schools associations in attempting to get the provincial championships in northern Ontario. After many meetings and discussions—prompted by the member for Fort William (Mr. Hennessy)—we were able to assist the Ontario Federation of School Athletic Associations with funds that will see the secondary school provincial championship track meet held in Thunder Bay for the first time.

That meet will be held two weeks prior to the Canada Games. It will see something like 2,000 secondary students move into the Thunder Bay area to compete at their level and to put the \$10 million athletic facilities now being developed at Thunder Bay to a good test.

9:20 p.m.

When those students go back home, they will be much richer in a number of different ways, not only in the field of sports but also in the knowledge that there is something north of the French River, north of Barrie and that there is an opportunity and a community there that is exciting and has something to contribute. We hope, of course, that they will come back to the north.

All members will take pride in the fact that we have a world championship with respect to ski-jumping. Stevie Collins of Thunder Bay swept the world right off its feet, I guess, when he made many outstanding jumps, not only in this country but also

in Europe. That was only possible because we in the Ministry of Northern Affairs provided the funds to Big Thunder Ski Jump to complete—at least to a point—that Olympic 90-metre ski jump. It is certainly to the credit of this province and, indeed, to this country.

That is a resumé, in a general way, of a number of programs—I have touched on only a few of them, I might say; I could go on for another couple of hours, I suppose, if I went into detail on all the facilities and programs we are involved in. I just wanted to lay out for the members on the opposite side some of the things we are doing, how we are trying to improve the quality of life and how we are trying to improve the economic activity and development of northern Ontario in a way that is in direct response to the people who live in northern Ontario.

I invite the constructive criticism of my colleagues opposite and I will try to answer their questions in the best way I know how.

**Mr. Bolan:** Mr. Chairman, I was pleased to hear the various items which the minister covered in his opening remarks. It is true there are many such items to cover, and the minister could very easily go on for at least two hours discussing the many activities that are required in northern Ontario by his ministry.

On reading over the opening part of last year's estimates, which started on April 23, 1979, I was curious to see that the minister had occasion at that time—this is on page 1216—to read us his horoscope of the day.

**Hon. Mr. Bernier:** I did?

**Mr. Bolan:** Yes. It was very interesting. The minister said this on page 1216: "Coming to work this morning I picked up a copy of the April 23 Toronto Sun and read my horoscope and I think it is very appropriate. My horoscope, obviously, is Leo and I think the members would be interested in knowing what it says for Leo on this date. It says: 'You should have ample reason to smile today because you see long-range plans starting to unfold in a very positive way.'"

That was very prophetic, but the only question I have to ask this evening is whether the prophecy of the horoscope at that time is analogous to the prophecy of today's horoscope—and we will read it. The Toronto Sun, Thursday, October 23, 1980, says: "Leo: Take nothing for granted today in competitive situations. Your opposition could have a bit more going for them than you first think."

After having heard the minister's fumbling this afternoon in question period on the question of the nuclear waste disposal in north-



western Ontario, I think he ought to look out for the opposition today.

I am also pleased to see the member for Parry Sound (Mr. Maeck) here this evening. As the minister knows, he represents the most southerly riding of northern Ontario. Or so he thinks. In order to find out just where the member for Parry Sound fits into the scheme of Ontario, whether it is north or south, I think it is only fair once again that we go back to last year during the estimates when we were trying to define northern Ontario. I am reading from page 1217:

"In April 1977 the provincial government defined northern Ontario at that time as the land lying north from the French River to the Manitoba border," which would exclude the riding of Parry Sound, of course. That was government policy and that definition excluded Parry Sound.

But on April 29, 1977, the Minister of Revenue, who was then just the member for Parry Sound, at the annual meeting of the Federation of Northern Ontario Municipalities, which was being held in Parry Sound, made the announcement to include Parry Sound in northern Ontario. There is no question about it, it was to get the \$10 licence plate, which at that time was a very sound political move because of the political difficulties the honourable member for Parry Sound was in at the time.

We checked again today with Northern Affairs as to what the definition was of northern Ontario. For some strange reason it excludes Parry Sound. So I ask through the Chairman and the Minister of Northern Affairs to the Minister of Revenue, where is he? Is he in northern Ontario for one purpose or is he in southern Ontario for another purpose, or is he wherever it pleases him most at any particular time?

**Hon. Mr. Maeck:** I think I'm in never-never land.

**Mr. Bolan:** I would agree with that, and so does Richard Thomas. In any event, it is a pleasure to be here this evening, Mr. Chairman and Mr. Minister, to discuss the estimates of the Ministry of Northern Affairs.

I can't think of a better topic with which to start my discussions of these estimates than Ontario North Now. It is a very pleasant experience. Some municipalities were pleased; others were displeased because of the fact there was no consultation with the majority of the major municipalities in northern Ontario. I think what they considered to be an affront is the fact that after the announcements were made with great fanfare that

there would be an Ontario North Now, they were then asked to make contributions.

Interjection.

**Mr. Bolan:** Initially you did, oh yes, you did. They were asked to provide funds for the operating cost of the pavilion. As I say, some municipalities have contributed. The city of North Bay did not contribute because it felt it had been affronted and insulted in the manner in which the whole process of the development of Ontario North Now took place.

9:30 p.m.

One started to ask questions such as, "Why put it in Toronto?" I have heard the ministry's explanation for it, which is not necessarily ludicrous, but rather silly, until you find out the real reason it was put in Toronto. Had the minister put it in Sudbury there would have been horrendous complaints from Thunder Bay, Sault Ste. Marie, Timmins and North Bay. Had he put it in Sault Ste. Marie, he would have had tons of complaints from all the other major areas in northern Ontario. So he said: "We'll settle that issue. We'll put it in southern Ontario." Isn't that the real reason the pavilion was placed in southern Ontario?

Going back to the estimates of last year, at page 1212—interesting reading again—the minister said: "Meanwhile, as a permanent contribution we are negotiating with two other ministries, Transportation and Communications and Government Services, for construction of a building at Moosonee that will serve partly as a tourist pavilion . . ." Was it the minister's intention to put a pavilion in northern Ontario initially but then, when he saw that it was politically not feasible to do so, he decided to shift it down to Toronto?

I think many of the people up there would be prepared to accept it in Toronto, but again it is the way it was done. There was a lack of input from people in northern Ontario. How many people in northern Ontario were asked to bid on some of the various features that had to be erected? Nobody. No businessman in northern Ontario heard about Ontario North Now until it was announced by the ministry, and by that time everything was in place. I ask these questions of the minister, and I expect some answers from him.

The silliest thing that took place in July and August was to see these television ads with the Minister of Northern Affairs telling the people in northern Ontario to go down to southern Ontario to see what northern Ontario is all about. The minister may be able

to con people in southern Ontario about that, but I think he has to admit that was pretty silly—and I think the way he is laughing right now indicates that he agrees with that.

In any event, the fact remains that the pavilions are down here. I feel there are certain areas which his ministry overlooked, I will not say intentionally, but they were overlooked. One of the areas was the lack of a display that showed the contributions of the French-Canadian culture to northern Ontario. I am informed that some request was made at some stage for some input, but it was simply too late for anything like that to be done.

When one considers the contributions made to northern Ontario, and particularly north-eastern Ontario, by the French-Canadian culture, the minister can rest assured that the French-Canadian citizens of northern Ontario feel rather insulted about the fact that there is no significant attempt by his ministry or by the government to show what role they played. They were the ones who went out in the small communities—

Hon. Mr. Bernier: Oui, oui.

Mr. Bolan: Yes, yes. Only your father's name was pronounced the French way, whereas the minister has anglicized the pronunciation of his name. Why the change in accent, I do not know. Perhaps the minister has lost the heritage or does not want to be associated with that heritage, because I always refer to him by using the French pronunciation of his name, not the anglicized version.

In any event, now that it has been drawn to his attention, I think the minister is aware that there was a significant contribution made by the French-Canadian culture in the lumber towns, the mining towns and the small communities of northern Ontario. They were the ones who pushed forward the building of the old Temiskaming and Northern Ontario and the development of the lumber camps. We see it all through the history of northern Ontario, what contribution French-Canadian culture made.

There are consistent attempts to maintain the culture and the language in the schooling system despite such obstacles as regulation 17, despite attempts by government in those days to achieve what it had set out to do, and that was the assimilation of the French culture with the English culture. In spite of all this they hung in until better people came along and saw the light.

I hope, as the minister makes adjustments to his silos, that he will put in a proper reminder to the people of Ontario

and to all the visitors who go to Ontario North Now of the role and the place of French-Canadian culture in the development of northern Ontario.

Another area where I feel the ministry missed the boat, as far as the pavilion is concerned, is the trapping industry. I understand there was no display at all for the fur industry in northern Ontario. There were examples of the types of skins obtained in the north such as bear, fox and wolf, and these were in the Indian pavilion, but a significant industry like the fur industry—and I think the member for Parry Sound will agree with me on this—is something that again should be demonstrated to those people who go to Ontario North Now.

I just want to spend a few moments, if I may, on the fur industry and particularly on the Ontario Trappers' Association, which has been in operation in North Bay for some 15 years. This is an association that was put together about 15 years ago and is strictly nonprofit. The money is used for paying salaries, for construction and for expansion of the facilities, but the whole purpose of the association was to be a co-operative effort for all the trappers of Canada, so that all the furs could be brought there and they would have a common place from which the furs could be sold.

Its members today are all across Canada. There are over 21,000 of them and two thirds of the registered trappers are native people. I think it is worthy to note that in 1979 the fur sales from the Ontario Trappers' Association at North Bay totalled \$33 million. There were buyers from all around the world, and the furriers there represent some 25 per cent of the wild fur crop in Ontario; it is the largest of its kind in North America. There is the Hudson's Bay fur company, but aside from dealing with wild animals, it also deals with other types of animals.

The other significant thing about the fur industry, of which there is no reference in the minister's silos, is that it maximizes the use of the land on which the trapping takes place. The land is used for trapping and it is only viable for that, so the land is put to the maximum use at that time. As the minister knows, the trappers have their own trap lines. That being the case, it is in their interest to manage them properly, because by doing so, it ensures the regeneration of the industry.

Other interesting points on it: The meat value alone taken from the animals that are killed has a value of over \$8 million. In



addition to this, there is more than \$1 million in royalties paid to Ontario.

So I hope as the minister makes his readjustments and as he goes along, he will see to it there is some recognition of the trapping industry in Ontario, other than a few raunchy hides hanging around in some pavilion, because I think the benefits that flow from it are so great that all of Ontario and certainly all of the visitors to the pavilion should have the opportunity of seeing just what a significant contribution is made.

9:40 p.m.

Another area I would like to touch on is economic development in northern Ontario, and again I want to refer to the estimates of last year. At page 1209, the minister said: "I hope that during the course of examining our estimates for expenditures, members will make suggestions that will be useful to us in planning future programs and projects of benefit to the north. Anyone who has experienced or studied the north knows there are no instant or easy solutions to its problems. We are engaged in a long, costly and difficult struggle to provide the north with economic prosperity and stability, with job security, and with the social and personal amenities that southern Ontarians have learned to take for granted."

In view of the fact that the minister is so concerned about economic development in the north, I would like to know what role he or the ministry played in granting an exemption order under section 113 of the Mining Act to Teck Corporation, which has a subsidiary mine in Cobalt. I raised a question about that in the House last Friday, and the Minister of Natural Resources attempted to give me an explanation on Monday which was entirely unsatisfactory.

Incidentally, a copy of a letter I am about to read was sent to the Minister of Northern Affairs. This is a letter from Canadian Smelting and Refining (1974) Limited. Basically what happened was that a mine in Cobalt operated by the Silverfields division of Teck Corporation applied in 1979 for an exemption order to ship flotation concentrates out of Cobalt. Those flotation concentrates at that time were being processed through the smelter in Cobalt. They were recovering all the silver. There were some of the cobalt concentrates that were not being recovered because of the fact that the Cobalt smelter did not have sufficient equipment to recover it.

I would like to read parts of the letter that was forwarded to the Minister of Natural Resources (Mr. Auld) by Mr. R. M. Ginn,

who is the vice-president of Canadian Smelting and Refining:

"During the summer of 1979 we learned from Mr. George A. Jewett that Silverfields division of Teck Corporation had applied for an exemption under section 113 of the Mining Act to allow them to export a substantial portion of the production from their Cobalt area silver mine. I presented our position at that time in a letter dated August 21.

"Following several meetings and discussions on the matter, in which Teck stated that a matter of prime concern was that [the smelter] was unable to treat its production, your ministry (or the cabinet) declined the application by Teck . . ."

Subsequently, Teck entered into a contract with Canadian Smelting and Refining, and during the year 1979 paid to Teck Corporation from the Silverfields operation a total of some \$12 million. The operating cost of Silverfields was slightly less than \$2 million; in addition, there were other costs of \$1 million in royalties paid to another mine. This left them with a profit of between \$9 million and \$10 million on a total gross of \$12 million.

I want the minister to bear those figures in mind as we go along with this. In other words, it was not a marginal operation. It was obvious that there was a substantial profit that had been made, which is fine. That is the name of the game in the system we have today and I welcome that. But again, it is not a marginal operation.

In view of the fact that the smelter could not handle all the concentrates it received, it made application to a smelter in Europe to have the leached residues, which were just the remnants after it had been processed through the smelter, sent there. They went to the Minister of Natural Resources to try to get an exemption order and they were turned down on May 26. So we had the situation where both companies were turned down: Teck Corporation's application to send its flotation concentrates over to Sweden was turned down in 1979 and the smelter in Cobalt's application to send its residues to a smelter in Belgium was turned down in May.

On July 25, Silverfields heard that in the interim Teck Corporation had applied for a new exemption order and this one was granted. The second time around, the exemption order was granted and it is in effect for one year, starting July 1. I will read from this letter:

"About July 25, I learned of your having granted an exemption to Teck Corporation

to export raw, untreated, flotation concentrates, an astonishing development in view of your having declined our application. I wrote you on July 25 to express my astonishment and concern and to request a meeting.

"A meeting was held on August 1 with Dr. Reynolds and Dr. Mohide and nothing was resolved. On August 13, a meeting was held with Mr. Aiken who represented your office, Mr. Jewett, the Minister of Natural Resources himself and the comptroller of the smelter, Mr. Gordon. At that time it was brought to the attention of the minister that Teck Corporation, before it was granted its exemption order, had exported a shipment of flotation concentrates the previous fall with no export approval from the Ministry of Natural Resources as required by section 113 of the mining act.

"Both you and Mr. Jewett requested that we identify the event by letter and it would be investigated," and this was done by way of letter on August 13. "On August 28, in response to a request by Mr. Jewett, Mr. Gordon and I met with Dr. Reynolds and him. Dr. Reynolds' whole thrust was to mediate the dispute between Teck and Canadian Smelting and Refining and he offered to arrange a meeting between Mr. Hymus, who was with Teck Corporation, and Mr. Ginn.

"On August 29, I wrote Dr. Reynolds setting out my interpretation that the problem is really one of whether the government want to protect domestic industry or achieve maximum profitability of one producer."

I think that is the key. So the question that goes to the Minister of Northern Affairs, as a member of cabinet and as a member who presumably participated in the application that granted the exemption order, is: "Is it the policy of the government, in granting exemption orders, to look at the maximization of profits or is it to protect a local secondary industry?"

I can see a situation arise under section 113 where you have ore that is mined in a certain area and where there are no facilities to treat the ore in Ontario. I can see an exemption order being given in that case, and rightly so. But should it be done when an operation such as the smelter in Cobalt is in jeopardy? And it is in jeopardy.

9:50 p.m.

**Hon. Mr. Bernier:** May I comment here for a brief moment? I understand the estimates of the Ministry of Natural Resources are taking place at present in committee. It would seem to me, and I am sure the member for Nipissing would agree, that this particular issue to which the member refers, and in

which we all have an interest, might better be discussed in that particular minister's estimates, because he has the direct responsibility for the issuing of an exemption under section 113.

**Mr. Chairman:** I appreciate the comments of the minister, and I am sure the member will govern himself accordingly.

**Mr. Bolan:** Thank you very much. The reason I am raising the subject, Mr. Chairman, is because of the fact that this ministry is very much interested and concerned with the economic development and growth of northern Ontario. I am raising this because it is an example where he, as the minister—and he always likes to refer to his ministry as the lead ministry—in this particular instance participated in a decision which affected the economy, the economic growth and the economic stability of a community.

If that does not give me the right to raise that in these estimates, then I do not know what does. The same thing will be raised with the Ministry of Natural Resources in those estimates—tonight in fact, by the person who is the spokesman in those estimates for our party, if the minister ever gets through making his presentation. I understand he is reading something like 255 pages. Of course, he is a very slow reader; he does not read as quickly as this minister does. I must commend this minister on the manner in which he went through all of that information this evening in about an hour and a half. It was very well done.

In any event, I ask you, as a minister of the cabinet who participated in the application and in the making of such a decision, whether the policy of the present government with respect to section 113 of the act is to maximize profits or to protect a local, domestic, secondary industry. I say that to you, also asking you to bear in mind the fact that in 1979 the Silverfields division was not running a marginal operation but rather was running at a substantial profit.

This again is from the letter of Mr. Ginn to the Minister of Natural Resources:

"A matter of deep concern is Mr. Jewett's response on August 28 to our question of what follow-up investigation and action was being taken regarding Teck's illegal export of a container (about 20 tons) of concentrate following the denial of an exemption to section 113 in 1979. Mr. Jewett became quite belligerent and said the matter was closed because it happened more than six months ago. I am informed by our lawyers, Fasken and Calvin, that they are not aware of such limitation applicable to this section. I still



await your reaction to this serious breach of the law."

Of course, there was no reaction.

So I say these things to a minister who has participated in a cabinet decision to put in jeopardy a secondary industry in a small community like Cobalt, as if Cobalt does not have enough problems right now without facing a plant closure.

I want to assure the minister that I spoke to Mr. Ginn on Friday morning before I even asked this question of the Premier (Mr. Davis) in the absence of the Minister of Natural Resources. They were relying so much on the ore which was coming from Silverfields that they were sweeping the floor to gather ore to put through the bins and to put through the smelter. There was a corporate decision to be made some time this week as to whether or not they were going to close the plant.

I say this to the minister so that he can be fully aware of it. I only hope, for the people of Cobalt and those 42 employees, that it is not closed. The minister, however, can go a long way in preventing that from happening by making representations to his cabinet to lift that exemption order. I am asking him formally at this time to request his cabinet colleagues to lift that exemption order or at least have another look at it. That does not cost anything at all.

The other item I want to touch on—the minister did not refer to this specifically, at least I do not think he did; he said so many things I was having difficulty in getting them all down—is the question of housing in northern Ontario. As the minister knows, in many instances, housing is a very serious matter. One program his government came out with was probably one of the better ones I have seen for a long time, and that is the Ontario home renewal program.

It is sound. It regenerates the housing stock. It prevents people from abandoning their homes, going to larger centres and looking for apartments. It takes the pressure off the tenements in other areas. It provides employment for those who work for the contractors, who do the insulation, the well digging, the well drilling, the septic tank digging, the installation of roofs, all of those things. It is a tremendous program. Why is it that when the government has a good program like that it does not put more money into it?

That program should be doubled, particularly as it applies to northern Ontario. I am sure the Minister of Revenue in his own riding is greatly affected by the lack of

OHRP funds. I have to say in all fairness to the Minister of Housing (Mr. Bennett), he has disposed of the funds that he has in a very fair and equitable way. He has split it right down the line. In other words, if out of the funds that he has—let us say it is \$20 million—it only works out to each municipality getting 25 per cent or 30 per cent, then each municipality will get 25 per cent of its application. He has done it in a fair manner.

However, I feel in the rural communities of northern Ontario there should be more pressure put on the Minister of Housing and on to cabinet by the Minister of Northern Affairs and by the vice-chairman of management board—is that right?

**Hon. Mr. Maeck:** Yes.

**Mr. Bolan:**—and by the vice-chairman of management board to get more money to these people. Obviously, the way the program is set up, it deals with people who are in need, otherwise it would not have the criteria it has. You must have an income of under so many dollars and all of these factors. So the program is designed to help those people who are on very low incomes—pensioners, people of that nature who are prepared to continue living in their homes but all they want is a bloody roof. So would the minister give them the roof and would he please make representation? Again, I request the same of the vice-chairman of management board to get some more money out there, particularly in the rural areas.

On the question of transportation, I suppose one of the biggest obstacles to the industrial development of northern Ontario is freight rates. Again, this is one of the big complaints one gets from local businessmen in northern Ontario: "How can we compete with the south when we have to pay so much to bring the material up here and then ship the product back down? We just cannot do it." If the minister is really interested in the development of an industrial base in northern Ontario, something should be done about the freight rates.

10 p.m.

I agree with everything he has said about northern Ontario and the reasons it should be subsidized, but I will tell him that if the government has money to subsidize an airline for civil servants, government officials, business executives and salesmen, then I also think it has some money tucked away some place, or it should have some money available, to subsidize freight rates. If we are very serious about developing an industrial base in north-

ern Ontario, it can only be done with properly subsidized rates.

On the question of transportation, I don't know if the Minister of Revenue will agree with me on this, but I am sure he notices the same things that I notice and that is all of these empty trucks going up to northern Ontario and empty trucks going down to southern Ontario from northern Ontario. That is because of the regulations the government has.

**Hon. Mr. Bernier:** Support us on deregulation. You were against it.

**Mr. Bolan:** No. Not at all. My own critic is against me on this, I realize that, but I am speaking as a northerner. Why is it that companies have to send these trucks up empty to bring them back down full of lumber yet they cannot take anything back up north?

**Hon. Mr. Bernier:** We tried to correct that by deregulations and you wouldn't let us.

**Mr. Bolan:** If the government would be serious about deregulation then we would do something about it. At least it should be done for Highway 11 because it is the main corridor for all of northeastern Ontario and northwestern Quebec. That should be given consideration.

**Hon. Mr. Bernier:** Do you support deregulation?

**Mr. Bolan:** I will support you. You know that. We have had this out before.

**Hon. Mr. Bernier:** You are going to split the party.

**Mr. Chairman:** Order. The member for Nipissing has the floor. Order. I am listening for the remarks of the member for Nipissing.

**Mr. Bolan:** Thank you, very much, Mr. Chairman, for being so observant and for giving me the opportunity to continue on these estimates.

Another area, again dealing with transportation, is the Ontario Northland Transportation Commission and the stupid decision it made last December to cancel the midnight bus run from Timmins to North Bay and then down to Toronto, and also the midnight run that left Toronto for North Bay and Timmins. I was confronted by a horde of angry bus drivers, passengers and what have you.

**Hon. Mr. Bernier:** The minister intervened.

**Mr. Bolan:** You did, but the reason I am raising it at this time is, how can you have a chairman who is so stupid as to have done that in the first place?

**Hon. Mr. Bernier:** He says nice things about you.

**Mr. Bolan:** I know, but I don't say nice things about him and he knows that, too. I don't carry a double-edged sword.

In any event, as a result of my corresponding with the minister—and I sent him reams and reams of evidence to support the position I was taking that this particular service at that time should not be discontinued—the chairman got very upset about this. In fact, he was seen sneaking into the bus terminal in New Liskeard one night and coming out with a bunch of documents and timetables and time sheets. The reason he said that run was being discontinued was that it was not paying for itself. When we put all the figures together we showed the minister that it was and it was carrying its weight.

What I want to know is, what is the policy on bus service? Does it have to carry its own weight? Is it subsidized? The minister made the statement that it is the function of the government to subsidize the ONTC operation. I want to know if that extends to bus service as well, because I am sure it is going to crop up again. I think that it should be settled. I am not saying we should open up a bus line or a route to carry one or two people. We have to be reasonable about these things because, after all, we are reasonable people in this House.

**Mr. Kerrio:** Especially on this side.

**Mr. Bolan:** That goes without saying. In any event, I would like to have a statement of policy on that.

Incidentally, while I think of it, and while I pick up this sheet of paper that is before me—you see what this place has done to me: I have to wear glasses now—what is the ministry's total advertising budget, and those of its agencies, boards and commissions for this fiscal year? What was the comparable advertising budget for the previous fiscal year? What advertising agencies are employed? Are tenders let for the accounts? Would the minister provide a copy of the material used in all the promotions, such as brochures, radio and television scripts, direct mailings and any other promotion material, even the one about the minister himself on Ontario North Now? In passing through the estimates, I thought I would ask this question of him. I am sure he will have an answer to that one.

The other thing I want to talk about is TVOntario. Again, I am really glad the Minister of Revenue is here tonight, because as the southern member for northern Ontario he can really help us in getting lots of these problems solved. The problem we



have, as he knows, is TVOntario and the fact that everybody has been trying hard to get it but for some reason or other we cannot get it.

According to the Minister of Revenue, and he can correct me if I am wrong, the capital funds are available for TVOntario to be brought into Nipissing, Parry Sound and Muskoka. Is that right? What I would like to know is, just what kind of pressure is the Minister of Northern Affairs going to put on the Minister of Culture and Recreation (Mr. Baetz) to bring about the fruition of this attempt to get TVOntario in the Nipissing, Parry Sound, Muskoka area? The channel has been designated for something like three or four years. I think it is channel five, is it not?

**Hon. Mr. Maeck:** Channel six.

**Mr. Bolan:** Channel six. It has been designated for some time, and yet every time we say, "When are we getting it?" they say, "Well, operating costs, and operating costs . . ." The thing is that the people of northern Ontario are paying for TVOntario in southern Ontario but they are not getting it in those areas.

If we are talking about trying to narrow the gap between the south and the north, this is another area I think the minister should be looking at. Both ministers should be putting pressure on the Ministry of Culture and Recreation, because if we want it badly enough, if the ministers really think it is that needed and that beneficial, there is no reason why they can't get it, no reason at all.

10:10 p.m.

I would like to say a few words about Field. I think we all suffered with Field. This House suffered with Field. I know the Premier was up there himself. It was a very disturbing thing. This ministry did good work in Field—I will commend the minister on that—as well as the Ministry of Natural Resources, the Ministry of the Solicitor General with the Ontario Provincial Police force, the Canadian Forces, and this ministry's information officers in North Bay and Sturgeon Falls. I am not a bad guy! I will give credit where credit is due—but the people who really deserve the credit are the people of Field because they are the ones who put up with it.

It is fine to say they have a new community now, but, believe me, it was rough. It was rough for that time in between the building of the new homes. Lots of these people hadn't been out of that home, or

hadn't been any place else, for 40 years, and then all of a sudden they are shoved in a trailer or in with a relative some place down the line, and it was very hard on them. I know one couple who were in their sixties and lived in a trailer for something like six months before their home was established. So, as I say, it is fine for all of us here to take credit for whatever was done, but the real credit is for the people of Field, who were the real sufferers in this.

But do the members know the sad part about all that? The sad part is there is a report coming out, which is a joint study by the provincial and federal civil servants, the ones who screwed it up in the first place, and it is going to say there is nothing we can do to prevent something like that from happening again. That is what the study is going to say.

What I really take offence at is the way the committee was set up. It was set up with civil servants from the provincial and federal governments, and one of the goals or aims of the study was not to find blame. You have to be able to point the finger at somebody, or at some agency, or at something and say, "You are responsible for this," but the committee has refused to inquire into what agency. Was it Hydro? Was it Natural Resources? Was it the Department of Transport, which is the federal agency responsible for the control of the dams on Lake Nipissing?

They have refused to do that. Instead, they are going to come out with a host of recommendations, and the bottom line is going to be that if there is another flood or if similar conditions come into play 10, 15 or 20 years from now, the same thing is going to happen.

I say to the minister, he should talk to Mr. Aiken about that. He is very knowledgeable on the subject, and he was one of the main people from this ministry in the whole Field operation, as the minister knows. I am very much concerned about the study and I am concerned about how the whole thing was set up. It was set up by the civil servants to protect the civil servants from blame. Again, I would ask the minister to inquire into that and see if there is anything that can be done about it.

The last thing I want to say is in the nature of a question. We are all waiting with bated breath. I want to hear the minister's policy on nuclear waste disposal in northwestern Ontario.

Interjections.

**Hon. Mr. Parrott:** It will be a lot more consistent than that side of the House, let me tell you.

**Mr. Wildman:** Mr. Chairman, I am pleased to have the privilege of leading off in the debate on the estimates of the Ministry of Northern Affairs for my party. I have some lengthy comments to make, so I will begin with some preliminary remarks this evening and complete my leadoff for our party on Monday next when we again are in committee.

I want to pick up from the last question raised by my colleague from Nipissing, because obviously the minister's comments in the northwestern Ontario media raised some important questions, not just for clarifying his own position and the position of the government, but also for the whole approach towards development in northern Ontario of this government and this ministry.

I understand the minister has said in the House today and again this evening that he did not say northwestern Ontario should take nuclear waste any more than any other part of the province, but that we would have to find some place to put the nuclear waste in the province, and if northwestern Ontario were benefiting from the overall electric grid, there would be as much obligation on them to accept the waste as on other parts of the province. I think that is the position the minister took to clarify his comments.

Without getting into the whole issue of the report of the committee looking into Ontario Hydro affairs and the serious questions raised before that committee by the Canadian Geoscience Council about the experimental drill sites program for nuclear waste disposal, other than to point out that serious questions were raised there to the effect that without the local community having some kind of assurance from the government that an experimental site would not, in fact, become a disposal site, it would be very difficult to find a disposal site, I would like to raise one major concern that I have as a northerner. Without getting into that issue of the experimental program, its merits or demerits, and whether or not it is actually going to be successful, I have one concern that I hope the minister can answer. If—and I underline the word "if"—it is found at some future date that the present experimental program, or proposals for an experimental program, does lead to a viable method of disposing of nuclear waste, and if—again if—a site or a number of sites were found in northeastern or northwestern Ontario, how are we going

to transport the waste from southern Ontario to those sites safely?

Nobody seems to be dealing with that issue very well. The minister may know that one of the determining factors on the decision of the location of the Eldorado Nuclear refinery in northern Ontario in my riding was the issue that that company was transporting waste products from its process from Port Hope back to Elliot Lake for recycling and then disposal. Many municipalities between Port Hope and Elliot Lake raised serious concerns about the safety of that transportation.

**10:20 p.m.**

One of the arguments used for locating the Eldorado refinery at Blind River was that it would be far closer not only to the source of the uranium but also for the transportation of the waste back to Rio Algom. That waste, as I understand it, is far less dangerous than the waste we produce from our nuclear generating stations. And that kind of concern was raised about it.

The minister is fully aware of the kind of transportation problems we have in northern Ontario and he is certainly aware of the kind of weather conditions we have in northern Ontario. When one considers the rail and trucking disasters we have had in southern Ontario and in other parts of the country, no matter how fail-safe a drilling program might be found to be, how do we get it there? If the ministry is going to locate it way up in northwestern Ontario or in some part of northeastern Ontario, it is going to have a lot of distance to cover between the source of that waste in Pickering or Bruce or wherever up to northern Ontario.

It is going to be going through a lot of communities. The minister and I both know that Highway 17, or 11 in many cases, travels right through the main streets of those small towns. Completely aside from the whole issue of whether that drilling program is a viable one, whether the experimental program will ever get off the ground, whether the local communities will be given the veto power they wish, whether they will be given the government commitment that if they do go for an experimental drill site that will not become a disposal site, completely separate from those things, how are we going to get it there?

The minister may disagree with this, but he is a northerner who tries to take an objective, honest and serious position on most issues. I think that is one that has not been dealt with very well and it is one that concerns me a great deal.



I have to be partisan, I suppose, but I regret the minister making any kind of statement like this prior to this assembly having the opportunity to debate the committee's report on nuclear waste. I understood that was supposed to be debated this evening in this House but for some reason it has been postponed. Now I understand that next Thursday night we are going to be debating another very important report on a very important issue—the report of the committee on constitutional reform.

When are we going to debate that portion of the Hydro committee's report that deals with nuclear waste? We were quite willing to debate the other two portions of it last week. Everybody in the House agreed. But when it comes to the most controversial part of that report, for some reason it is being postponed. I wonder if it has something to do with the fact that the government may be expecting some other reports which may, in some way, help it in answering some of the major concerns that are raised in that report.

At any rate I am quite happy to be debating this tonight. I just wish the minister had waited for the debate on that report to be dealt with in this House. Had he waited, he could have the accumulated wisdom of all the members of the House, including his colleague the Minister of Energy (Mr. Welch), before he would have to make any comments off the cuff to the press or whatever.

As I said, I am glad to have the privilege of leading off the debate on this ministry's estimates. I welcome the critic from the Liberal Party. I was glad to see they had a spokesman participating in this debate. I am very glad to see him because I understand the leader of the Liberal Party (Mr. S. Smith) made some interesting comments recently in Thunder Bay. He has sort of a penchant for making comments when he gets to northern Ontario. My colleague from Sault Ste. Marie (Mr. Ramsay) is well aware of some of the unfortunate statements that the leader of the Liberal Party has made in the past when he has come to northern Ontario. He has some difficulty dealing with our weather conditions, I understand.

**Mr. Kerrio:** If you think we have difficulties, what are you going to do with your leader?

**Mr. Wildman:** The member for Ottawa Centre (Mr. Cassidy) has toured extensively in the north and I don't think he has even made a comment about a community. He has

never, to my knowledge—nor for that matter has any member of the government—made a statement where he completely rejected a community, a city. I think it was in Sault Ste. Marie, wasn't it, that he said he never wanted to go back. I think one of the few things the member for Sault Ste. Marie and I could agree on is that we are quite happy that he never come back.

**Mr. Kerrio:** Until we had a Liberal member there, that is what he said.

**Mr. Wildman:** He will never come back until we have a Liberal member there? In that case, he will never come back.

Anyway, his most recent comment in Thunder Bay dealt with this ministry, and I think what he said was, if he ever had the opportunity, he would dismantle this ministry.

**Mr. Bolan:** No, he would dismantle the minister, that is what he would do.

**Mr. Wildman:** Oh, well, sometimes I might have some sympathy with that point of view, but I just want to make clear to the House that although we have more members in the north than the Liberal Party, and the Conservative Party has more members in the north as well—

**Hon. Mr. Bernier:** That is the first time you have admitted it.

**Mr. Wildman:** —that is going to change, but they have—I think perhaps as a result of that, the Liberal Party may not have as great an understanding of the north as these two parties may have, despite our differences. I certainly want to say that we would not, at this time nor in the future, be considering the dismemberment—I think that was the term he used—of the minister or the ministry. We would like to move him out and move him over, but we are not going to get rid of the ministry.

While the minister is smiling so well over there, I want to make clear to him that while we would keep the ministry, we certainly don't have the same concept of the role that appears to be held by the minister. I listened to the minister's opening comments and he went through a long list of initiatives and projects that the ministry is involved in; he gave a long list of openings that he has attended and ones that he hopes to attend in the near future.

**Hon. Mr. Bernier:** That is performance.

**Mr. Wildman:** Well, it is a kind of performance; you have to know how to snip scissors. I regret not having been able to be present with the minister and his colleague at the opening in Wawa or at Hornepayne. I was with his other colleague, the Minister

of the Environment, at another opening in another part of my riding the same day. When you talk about performance, three openings in one day in your riding is performance.

**Hon. Mr. Bernier:** You like it, don't you? You sure do and you take credit for it too.

**Mr. Wildman:** Why shouldn't I? I worked for those things. I recall, though, that at the opening in Hornepayne the minister went not just to the airport, but to the curling rink as well. This is a new facility in Hornepayne for which the local people worked very hard. They had some difficulty collecting all the local funds they had hoped to collect, but they worked very hard. I understand that at the unveiling they had the name of the wrong minister on the plaque. I wonder who was responsible for that.

**Hon. Mr. Walker:** It was an old plaque. Part of our cost-cutting campaign.

**Mr. Wildman:** It was an old plaque, was it? It had "Robert Welch", rather than "Reuben Baetz." Frankly, it is kind of a Hobson's choice, but I think I would rather have Robert Welch than Reuben Baetz. At any rate, I think they are replacing that plaque.

10:30 p.m.

I started to say that the minister went through a long list of programs, a long list of openings, and talked in glowing terms about a number of initiatives that his ministry has taken. I will grant that his ministry has worked hard to deal with a number of problems with the various communities in northern Ontario. His ministry staff has been very co-operative with me, and I have

tried to co-operate with it on a number of issues. However, I want to make it clear that while many of those initiatives are useful, there does not appear to be any co-ordination among them. What I am saying is that basically the ministry tends to react to a particular need in a particular community, if it can, but there is no overall regional planning. I am not talking about the whole of northern Ontario. I am talking about looking at the region and integrating those various programs in the individual communities into some kind of program that is actually going to change the economic situation we face in northern Ontario, and have faced for years.

As I said, we would keep this ministry, but we do not agree with the concept that this minister appears to have of his role. I say that advisedly, since it is very difficult to obtain a definitive statement of what that role is from him or his colleagues. We are told that the Ministry of Northern Affairs is not a line ministry, but rather its mandate is to co-ordinate the provincial government's response to the needs of the north. The minister said that again this evening.

**The Deputy Chairman:** Would this be a good time for the member to move the committee rise and report?

**Mr. Wildman:** Mr. Chairman, I would say that I have a great deal more to deal with in response to the minister's leadoff, but I would think this would be a good time to move the adjournment.

On motion by Mr. Wildman, the committee of supply reported progress.

The House adjourned at 10:33 p.m.



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No. 98

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Friday, October 24, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

FRIDAY, OCTOBER 24, 1980

The House met at 10:04 a.m.

Prayers.

## WIRETAPPING MEMBERS' PHONES

**Mr. Renwick:** Mr. Speaker, on a matter of privilege, I heard a rather strange report this morning over the radio that the Honourable Robert Kaplan, Solicitor General of Canada, had written to each of the legislative assemblies, presumably to Mr. Speaker, about developing guidelines so that the RCMP may wiretap the phones of members of the assembly. This followed upon the clear breach of privileges which was established in the case of the Honourable Douglas Graham, a member of the Legislative Assembly of the Yukon. I would like to know whether or not that communication has been received by the Office of the Speaker and what you intend to do about it, sir?

**The Deputy Speaker:** To my knowledge no communication has been received. However, I will report back to the members if such a communication is received.

## STATEMENT BY THE MINISTRY

### ENERGY CONSERVATION AT CORRECTIONAL CENTRES

**Hon. Mr. Walker:** Mr. Speaker, yesterday the Premier and I were at the Ontario Correctional Institute in Brampton to acknowledge a major achievement in the use of solar energy.

Since March 1978, the institute has been experimenting quietly with a solar heating system to meet its hot water needs of 2,600 gallons a day. The project is a \$73,000 investment funded by the Ministry of Energy. With a life span of up to 20 years, it is expected to more than pay for itself within 15 years in terms of the energy it saves.

The project, which has become fully operational, is significant in several respects. First, it has enabled us to provide inmates with practical experience in solar technology. Inmates at the Maplehurst Correctional Centre actually built the monitoring equipment for the Brampton solar system, which was designed by the Ontario Research Foundation.

Secondly, it has become a practical testing ground in the solar heating field. Consulting engineers and construction companies have been able to develop their skills in assembling these units. Thirdly, the system is considered to be one of the most efficient, if not the most efficient, solar installations currently available. Fourthly, it represents another important attempt by the Ontario correctional system to improve its own energy self-sufficiency.

It might interest members to know that since Correctional Services launched its energy conservation program in late 1976 it has successfully reduced its energy consumption by approximately 28 per cent, for an accrued cost avoidance now totalling \$3.4 million. Last year the cost avoidance at nine correctional institutions each exceeded \$120,000. Much of this substantial cost-saving has been achieved through traditional energy conservation measures, such as adjusting thermostats, using lower intensity lighting and installing additional insulation.

Other measures, however, like the Brampton solar energy system, have been innovative and unusual. We are, for instance, studying the possibility of heating some of our buildings with wood chips fed into an automatic stoker. As members know, inmates cut wood by hand for this project and over the last year they have cut some 450 cords of wood at this one site. The study, being undertaken for us by a consulting group, is being carried out at the Monteith Correctional Centre. If successful, this new system will be considered for installation in other government buildings.

Next spring at the Maplehurst Correctional Centre we will launch a totally different kind of conservation initiative—a hydroponic greenhouse that should enable us to supply enough fresh green vegetables during the winter to meet the needs of several institutions in the Toronto area. In other institutions, retrofit programs are under way or under consideration, such as replacement of steam boilers with hot water boilers and changes in ventilation and lighting systems.

Finally, I want to notify members that inmate labour has been prudently employed

to carry out many of these energy conserving initiatives. This has not only assisted us in keeping down the cost burden on the taxpayer, but has also proved remedial to inmates. In fact, we have developed a solar energy course at the Guelph Correctional Centre, enabling inmates to earn a half credit towards their high school diplomas.

## ORAL QUESTIONS

### LAND ASSEMBLY

**Mr. S. Smith:** Mr. Speaker, I would like to question the Premier on the rather remarkable evidence given to the public accounts committee by former Treasurer John White yesterday. I want to draw the Premier's attention not so much to the Townsend matter, having made the decision to purchase Townsend for better or for worse, but particularly to the matter of buying the second parcel in South Cayuga, which has now cost the people \$30 million or so.

10:10 a.m.

Is the Premier aware that the former Treasurer said he had ignored the advice of 12 senior civil servants who told him that one parcel would be sufficient for the town in Haldimand-Norfolk and that the reason he chose to purchase this second parcel for \$30 million or so, even though it would plainly not be needed, was because he had a dream, he had some kind of vision, apparently, while in his limousine on the way home to London?

It is one thing for the former Treasurer to have had a dream or a vision in his limousine, but it is quite another to have been able to persuade the Premier of the province that dream was worth some \$30 million of public money.

I would like to ask the Premier for his recollection of the time. How was he persuaded? Did he bother to look into the basis of the dream? Did he bother to find out where the Treasurer was when the vision came to him, what he had been smoking at the time perhaps, and in general terms whether there was any documentation upon which the decision was based?

**Hon. Mr. Davis:** Mr. Speaker, I recall some of the discussions. I really don't recall the former Treasurer having a dream in the car—which would be comparable to the car the Leader of the Opposition has, so if he calls it a limousine I guess it is the same as his limousine. They are both limousines,

except the member didn't have a limousine at that time, I guess.

**Mr. S. Smith:** I didn't have any visions in it, that's all.

**Hon. Mr. Davis:** I will never argue that the Leader of the Opposition is devoid of vision. His are hallucinations. The former Treasurer had dreams, I guess, I don't know.

**Hon. Miss Stephenson:** Isn't that how Mackenzie King ruled for so many years, by ouija board?

**Hon. Mr. Davis:** By ouija board and his dog, as a matter of fact. The member would know Mackenzie King better than most of us. He is pursuing his philosophy, for all we know.

**Mr. S. Smith:** Talk about John White's dream.

**Hon. Mr. Davis:** Mr. Speaker, I will try to be serious on this matter. The Leader of the Opposition may not recall too specifically. Was he at McMaster at the time and perhaps not that involved in political life, or was he still in Montreal? I forget.

**Mr. S. Smith:** I was at McMaster. It was my money—

**Hon. Mr. Davis:** With the money the Leader of the Opposition earned at McMaster, it is only fair that he share in some of these things. He was probably earning a lot more at McMaster than the rest of us were here.

**Mr. S. Smith:** After two terms in office as Premier, I will be back there.

**Hon. Mr. Davis:** When is he going back?

**The Deputy Speaker:** Order. Back to the reply to the question.

**Hon. Mr. Davis:** He will be greyer than I am by that time, and thinner on top. Mr. Speaker, I was not at the discussions yesterday so I have only press reports to go by. I recall the discussions in cabinet. There is no question there was some debate among those who advised the government as to whether there was the need at that moment. I think the Treasurer felt—and I would recall to the Leader of the Opposition some of the observations by members opposite as to the advisability of the province moving more directly into what was described then as land banking. I can recall some very encouraging words from a particular party as to the concept of the government of Ontario acquiring more sites in terms of the potential of housing. Land banking was one of their great themes. I can recall this very vividly. I might even get some quotes out of Hansard to support this. I may even find some quotes out of



Hansard with respect to the Townsend site by the former leader of the Liberal Party.

**Mr. S. Smith:** We are speaking of South Cayuga today.

**Hon. Mr. Davis:** But the Leader of the Opposition mentioned Townsend and said he wanted to leave Townsend aside.

**Mr. S. Smith:** I mentioned cars, I mentioned limousines. What about South Cayuga?

**Hon. Mr. Davis:** With great respect, I listened to the question very carefully.

**Mr. S. Smith:** Answer it then.

**Hon. Mr. Davis:** All right. The leader of the Liberal Party said he didn't want to talk about Townsend today, which means, I assume, he accepts the acquisition in Townsend.

**Mr. S. Smith:** Not at all, it's just as bad, but today I am talking about South Cayuga.

**Hon. Mr. Davis:** The Treasurer was quite convinced, on the basis of projections at that time, that there would be an estimated population growth of 600,000 to 700,000 people in that general area. He felt it was advisable for the long term to add this acquisition in terms of land banking for Ontario. I think the former Treasurer made the point then, and I think he would make it today, that in terms of the public interest, in terms of the public getting back whatever investment it makes, that would still be a valuable asset to the people of this province.

During the discussions within cabinet—and I am not able to recall all of the details—the decision was made that there was a possibility of this being used at some point in the future for possible residential development, knowing the projected growth in that area. He thought it was wise to move this far in advance when land prices would be substantially lower than they would be in 1980 or 1990. It was a judgement call on his part, recommended to the cabinet.

**Mr. S. Smith:** On your part.

**Hon. Mr. Davis:** Sure, on the part of cabinet. Let's not be cute. The former Treasurer came to cabinet and said in his judgement, on the basis of some advice he had—and there was conflicting advice, as there is on all of these issues—there was merit in terms of the public interest in adding Cayuga to the land banking program of Ontario.

Some of the member's former colleagues—not as it relates to this specific site—were very much in support of the concept of land banking by the province for future residential requirements.

**Mr. S. Smith:** By way of supplementary, and with great respect, the Premier knows the subject of land banking is not what we are discussing, nor even Townsend. Given that the options were taken out on South Cayuga as a means of bringing the price down on what was to be paid on Townsend, there was still, the Premier would surely agree, no compelling reason to exercise those options on South Cayuga.

I would ask the Premier, did he simply accede to the Treasurer's view, which ignored the advice of 12 civil servants and which ended up costing us \$35.6 million for land now valued at \$16 million? We were told the idea came to the Treasurer in some kind of vision. Did the Premier accede to it without checking into it for any documentation? If he did, would the Premier now agree that was a great error? If he did have documentation would he kindly produce it for the public accounts committee?

**Hon. Mr. Davis:** I doubt there is any documentation. The former Treasurer made it quite clear there was some division of opinion—as there was on Townsend and as there is on most significant issues with respect to whether a government should or should not move in directions of this nature. The former Treasurer's judgement and point of view were conveyed to his cabinet colleagues. There were prolonged discussions. The decision was not made at one cabinet meeting; it was made over a period of time. There is no question that in the Treasurer's mind there was merit in the public interest for the acquisition of the lands in Cayuga.

That was a judgement call made by the cabinet of this province. I would suggest that in the light of the circumstances that existed at that time it was not a bad judgement call. One can have a lot of hindsight. I would also make this prediction: at some point in the future the public interest will be served by the Cayuga land acquisitions.

**Mr. Cassidy:** Supplementary: Can the Premier explain the theory of public finance that would permit the Treasurer at the time to commit the government of Ontario to a \$30-million expenditure on the grounds that, having a surplus, it was okay to put the money there; the money had to go in some place or another? Can he explain the way the government has been exercising stewardship over the tax dollars of people in this province when one member of cabinet in effect can commit the province to a \$30-million expenditure and present it to cabinet as a fait accompli?

**Hon. Mr. Davis:** With respect, Mr. Speaker, that is not the way it happened. No minister of the crown can commit the government to a \$30-million expenditure or even a \$3-million expenditure or even a \$1-million expenditure. In fact, we have debated a \$1,000 expenditure within the confines of the cabinet room and the cabinet makes that ultimate decision. The former Treasurer of the province did not make a unilateral decision to invest this amount of money without the acceptance of cabinet. I would say to the present leader of the New Democratic Party, before he wanders too far into this area, he should check the record with respect to the pressures brought by his party with regard to the advisability of the government of this province investing more extensively in land acquisition or land banking in the public interest.

10:20 a.m.

The members of the New Democratic Party use the words "land banking." The term "land banking" involves the investment of public funds in land acquisition that we all know is not going to be used in the immediate future; otherwise, why use the terminology? Just have a look at the record and see where the New Democratic Party stood then and I assume still stands.

**Mr. Cassidy:** On a point of privilege, Mr. Speaker: The Premier says I should check the record. This party said there should be land banking close to the major cities. We think it is wrong that people should pay \$40,000 for a lot in north Toronto and in Markham, while the government of Ontario and the taxpayers have lost \$20 million in Townsend and Cayuga.

**Hon. Mr. Davis:** On a point of order, Mr. Speaker: Let the member check the record. We know his party has said land acquisitions near some of the urban centres. Please check the record when we were discussing Townsend, even before the Townsend decision was made, with respect to the population projections. Also, calculate the mileage from some of the urban centres to the Cayuga site and see whether that doesn't fall within the definitions that party has used. That party, has never confined the question of land acquisition to North York.

**The Deputy Speaker:** Order. It doesn't seem to me that is a point of order; those are points of view. This matter is being discussed before the public accounts committee and the Premier's estimates are coming up later this morning.

## COSTS OF POLICING

**Mr. S. Smith:** I have a question for the Solicitor General. The Solicitor General and his leader have made quite a big thing about their tremendous support for police and law and order; in fact, they have even gone so far as to suggest that the opposition parties are somehow opposed to those concepts. In view of that, I would ask the Solicitor General how 29 towns in Ontario are now on a waiting list and have been left on that waiting list for some time, begging the province to provide them with adequate police force assistance from the Ontario Provincial Police? Why has the province had a report which has never been made public, though it was completed over two years ago, the report by Mr. Pukacz, which has indicated a number of ways in which the policing in this province needed to be improved but nothing has been done? How can the Solicitor General justify a situation where a town like Nepean, for instance, which is a pretty large place nowadays, gets only \$10 per capita for its policing when regionalized forces obtain \$15 per capita? Isn't it time to remedy that situation?

**Hon. Mr. McMurtry:** I have to say, Mr. Speaker, that law enforcement officers across the province from time to time have expressed to me their disappointment in the lack of support they appear to receive for their very onerous responsibilities from the official opposition. We are concerned about their lack of understanding and their lack of support in this very crucial area.

**Mr. S. Smith:** They have never told us that.

**Hon. Mr. McMurtry:** It is well known and there is no question about that.

With respect to the Pukacz report, this report has been made available to police governing authorities across the province. If the Leader of the Opposition would like an autographed copy from Mr. Pukacz, I could arrange it. The report is really quite a public document; it is just not accurate to say it has never been made public.

If the Leader of the Opposition is familiar with the report, he will be aware of the fact that there are a very large number of recommendations in it dealing with the criminal justice system, the utilization of law enforcement officers and some very worthwhile suggestions.

As for the municipalities which would like assistance from the province for policing, my first observation is that policing is primarily a municipal responsibility. Yet, having said



that, we are very sympathetic to the requests of these smaller municipalities which would perhaps like to enter into policing contracts with the Ontario Provincial Police to take advantage of the services available from that great and distinguished police force. It's my hope that we will be able to extend the resources of the Ontario Provincial Police to provide assistance to these municipalities.

In relation to the police grants, the discrepancy between the \$15 per capita to regional police departments as opposed to the \$10 per capita to municipal departments is a matter I am aware of and have discussed with the provincial Treasurer (Mr. F. S. Miller) on a number of occasions. He has pointed out—and I am sorry he's not here today to explain it in greater detail—that the municipalities which receive only \$10 per capita for their policing do receive other grants from the province and other areas to make up for this discrepancy and these are unconditional grants. I think it's important to appreciate that the net result is the municipalities are not prejudiced by the provincial funding arrangements.

**Mr. S. Smith:** By way of supplementary, I hope the Solicitor General is not suggesting the various municipalities are receiving equal provincial share of the cost of policing, because they simply are not. Would the minister not agree this report indicates that the average provincial share of the cost of policing in 1977 in the regional police forces was 34.47 per cent, whereas in Ottawa, for instance, it is 16.19 per cent?

There is a tremendous discrepancy between the share the province accepts to pay for policing in regionalized police forces versus those that are not regionalized forces and yet the costs of policing are just about equal in the two situations in most of these cities. Would the Solicitor General not agree there is a discrepancy, that this report has been sat on for two years and virtually nothing has been implemented from it? If he is interested in law and order and a decent share for the policing, then isn't it time to treat all the municipalities on an even-handed basis?

**Hon. Mr. McMurtry:** Mr. Speaker, it is not true that the report has just been sat on. Some of the recommendations have already been implemented. The whole matter of funding municipal police forces as compared to regional police forces has been under review for some time. I mentioned the discussions I have had with the Treasurer. To be totally accurate, I should say the

Minister of Intergovernmental Affairs (Mr. Wells) is directly involved in these funding arrangements. I can't provide the member with the details other than to make this statement: It is my desire to improve or to assist in the enhancement of police resources across the province, be they municipal police forces, regional police forces or the Ontario Provincial Police.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Could the Solicitor General explain the catch 22 into which all municipalities in the province are put with regard to directing the police forces in their areas? Why does the province continue to insist on having the direction of local police forces through its appointments to the local police commissions and yet is only prepared to come up with funding that amounts to around a fifth of the cost of local policing?

10:30 a.m.

Why should the municipalities which pay the piper not also be allowed to call the tune and in fact manage the police forces, in order to make sure they provide the service they need in the most efficient and best way possible?

**Hon. Mr. McMurtry:** Mr. Speaker, I do not think that is a supplementary. I believe it is an entirely different issue. There is some relationship, and I would be happy to address myself to the issue of the composition of boards of police commissioners.

The make-up of boards of police commissioners is not related solely to the issue of funding. In my view, that is only one of a number of considerations. Quite frankly, in my opinion it is a lesser consideration, because what we are concerned about is the relative appearance of independence in so far as the individual police department is concerned. We think it is vital to the interests of all our citizens for them to believe, as I am sure all of us in this Legislature believe, that the responsibilities and the often very sensitive duties and challenges faced by police forces on a day-to-day basis are carried on in a totally nonpartisan manner.

If it is a five-person board, of course, there are three appointments from the province, and usually one of those appointments is a judge. In Ottawa, as the leader of the New Democratic Party appreciates, one of the three members of that board of police commissioners is the senior county court judge, who obviously is quite independent of both the province and the municipality. Although it is a provincial appointment, in my view it certainly gives the necessary appearance of

independence that is very vital to the effectiveness of that type of administration.

I would remind the honourable member that notwithstanding the fact that we have delegated much of the day-to-day administrative responsibility to the local boards of police commissioners, we do have the overall responsibility for the effectiveness of policing in this province. In our view, the present makeup or composition of the boards of police commissioners enables us to carry out that responsibility, to recognize that accountability.

**Mr. B. Newman:** Mr. Speaker, I have a supplementary. I am sure the minister would agree the city of Windsor is in a unique situation. Because of its location adjacent to a community equivalent to the population of the city of Toronto, it would have added responsibilities as a result of the not too law-abiding element that may come into the community from the city of Detroit and its surroundings. As a result of all those added responsibilities, there should be an extra responsibility on his ministry to provide at least the funding equivalent to that provided to regional governments.

**Hon. Mr. McMurtry:** We are quite aware of the additional problems that are often presented to our border cities and throughout the country, but I would just remind the honourable member that the Ministry of the Solicitor General does not provide the funding.

**Mr. Wildman:** Supplementary, Mr. Speaker: The minister has stated that he would be prepared and would like to provide additional assistance to the small municipalities for policing by the Ontario Provincial Police. Is he not aware that many of the small municipalities in northern Ontario have objected to the minister's policy of centralizing the regional policing by the OPP so that the local communities, Kapuskasing for instance, do not get full-time policing, but have to refer to Hearst, over 70 miles away, after a certain time at night?

**Hon. Mr. McMurtry:** I am quite aware of that issue in northeastern Ontario, and I might say the concerns expressed by the member are by no means uniformly held throughout the municipalities. Many of the municipalities in the Hearst-Cochrane-Kapuskasing area are very happy with the arrangement and believe the system that has been implemented is providing the most effective use of OPP resources in that area.

## BENDIX CORPORATION

**Mr. Cassidy:** I have a question which affects several ministries on the consequences of shutdowns and it arises out of last July's shutdown of the Bendix plant in Windsor. I will start with the Minister of Labour.

Does the minister consider it appropriate for Bendix to have refused to participate in a manpower adjustment committee because it had hired a private consultant to provide outplacement counselling which included hotel room courses on resumé preparation, job and company research, personal marketing strategies, interview techniques, government assistance and financial alternatives? Was it appropriate for Bendix to refuse to participate in the manpower adjustment committee, and if not, what is the minister going to do on behalf of the workers who could not get that committee going?

**Hon. Mr. Elgie:** Mr. Speaker, one of the matters I referred to last week in my statement was that I would be introducing amendments to the Employment Standards Act which would give the minister power to require that a manpower adjustment committee be set up.

Clearly, one of the decisions one would have to make, even if one had that power, is whether or not a suitable alternative way of placing displaced workers was in place. I have not had the opportunity to evaluate the effectiveness of that particular committee, but clearly the issue of whether or not companies take part in manpower adjustment committees is on my mind and I propose to introduce legislation which would give me the authority to require that they take part.

**Mr. Cassidy:** Supplementary: There is no committee and the minister's powers will do nothing to protect the workers right now.

I would like to redirect a supplementary to the Minister of Industry and Tourism (Mr. Grossman) also arising out of the serious consequences of the Bendix shutdown. Can the minister tell us what he is doing in order to stop the negative spinoff from the Bendix shutdown, specifically as a result of Bendix moving its sourcing of parts from Canadian plants to the United States, which has already led to the loss of 30 jobs at Central Stampings and National Auto Radiator in the city of Windsor and also threatens jobs at Charles Laue in Windsor and at the SKD plant in Amherstburg?

**Hon. Mr. Grossman:** In each case, we work with the companies that have had closures to see if their sourcing requirements can continue to be met from within Canada at



an economic and competitive price. Obviously, when a plant closes down and the product being made in that plant begins to be made somewhere else, it very much changes the economics of the sourcing.

Presumably, the auto pact is in place to make sure they continue to play their role in providing the auto parts necessary to allow the Big Three or Big Four to meet their commitments under the auto pact.

**Mr. B. Newman:** Supplementary, Mr. Speaker: Will the minister consult with the Minister of Industry, Trade and Commerce at the federal level to see to it that any auto trade agreement where the sourcing is Canadian at present remains Canadian even though the industry itself may transfer its operations from Canada to the United States, specifically Bendix?

Just as the leader of the third party has made mention of the loss of certain jobs, I would assume there may be substantially more spinoffs—

**The Deputy Speaker:** The question has been asked.

**Hon. Mr. Grossman:** Yes, both the federal Ministry of Industry, Trade and Commerce and ourselves are looking into that problem and I believe that is forming part of the discussions under the auto pact.

**Mr. Cassidy:** Mr. Speaker, if I can return to the Minister of Labour, the minister knows that many of the Bendix employees have had their health affected because of asbestos conditions at the Bendix plant and the Bendix employees have been pushing for an epidemiological study to be carried out by the ministry. Is the minister aware that their concerns about health have been heightened because now they are looking for other jobs and other employers do not want to take workers whose health may have been affected because of the conditions that prevailed at Bendix?

10:40 a.m.

Why will the minister not give an unequivocal commitment that the health study will be carried out by the Ministry of Labour, as the workers have requested? How does he expect the workers to put their confidence in a study which is financed by Bendix when this company, for more than 20 years, has been refusing to clean up the conditions which endanger the workers' health?

**Hon. Mr. Elgie:** First of all, Mr. Speaker, the Bendix Corporation did, as I am sure the member knows, propose to carry out such an epidemiological study at its own expense,

and the physicians who were to be in charge of that program were fairly eminent and well-known ones. One was formerly a professor of occupational health and safety, I believe, or of public health, at the University of Toronto. In spite of that, however, we have been in touch with the company indicating that even if it is to pursue this type of study we would like to have a very active role in it.

Quite frankly, I do not have the information available to me at the moment as to what their response to our request was, but clearly we have the same interest the honourable member has. If it is going to be done, it has to be done properly and there has to be some independent assessment of it carried out by someone from our ministry.

### FLUORIDE HAZARDS

**Mr. Cassidy:** Mr. Speaker, I have a question to the Minister of the Environment about fluoride pollution in the area that surrounds the Brampton Brick plant in the riding of the Premier (Mr. Davis). Since the Minister of the Environment is no doubt aware that his ministry's test showed that the monthly fluoridation rates for the Brampton Brick plant routinely exceeded the ministry's guidelines by as much as 75 times and as long as five years ago, can the minister say why the ministry took no action, particularly when this brick plant was in a builtup area?

**Hon. Mr. Parrott:** Mr. Speaker, fluoride has been of concern to the ministry for a long time, but I do not think it is quite correct to say there is no action taken. This matter was brought to my attention again not too long ago, and I asked for a whole report on the present situation. I do not have that report yet, but I have asked for it. It will be available very shortly, and I will share it with the honourable member.

**Mr. Cassidy:** These reports have been coming into the ministry for five years now, and the minister says he is just beginning to have a look at it; the matter was raised and brought to his attention in the Brampton newspapers, and that is why he is looking at it.

Since the subdivision applications to the government are routinely taken before the Ministry of the Environment, can the minister say why it is that, having reports of fluoride deposition so high over the ministry's guidelines over such a long period of time, no action was taken by the Minister of the Environment to stop the construction

of new homes in the surrounding area until the problem was cleaned up?

**Hon. Mr. Parrott:** I think the honourable member has it backwards. Indeed, I suspect he asked his question because it was in the headlines, but we acted before it was in the headlines, I would like him to know. As I said earlier, we will share the report with him.

There has been an attempt on the part of the industry, and certainly at the insistence of our ministry, to address the problem. I think you would agree, Mr. Speaker, it is not an easily resolved problem. It is a very difficult problem to solve, as I think the honourable member knows, but we will share with him what changes are being contemplated when they are available.

**Mr. Isaacs:** Supplementary, Mr. Speaker: Given that in estimates last October the minister's staff promised my colleague, the member for Carleton East (Ms. Gigantes) that there would be a health study of children coming from the subdivisions close to the plant, can the minister explain why there is no indication at all that the health study is under way, when the effect of fluoridation on children can be to cause mottling of teeth, weakening of bones, hardening of joint ligaments, loss of weight and impairment of growth? Why is the health study not—

**The Deputy Speaker:** The question has been asked.

**Hon. Mr. Parrott:** The honourable member makes the case for what could happen, not what has happened, and there is quite a distinct difference. As I said to his leader, we will share that information with him when it becomes available.

#### DISTRICT HEALTH COUNCILS

**Mr. Bradley:** Mr. Speaker, I have a question for the Minister of Health concerning district health councils and their future. In view of the fact some of the councils have expressed very strong views about their advice being ignored by the ministry, particularly at a meeting on Wednesday of the Niagara District Health Council, where council members expressed their frustration over the minister's penchant for giving the advisory body the terms in which to offer advice and then changing the terms and ignoring the advice; and in view of the fact that on many occasions the minister appears to be ignoring the advice of these district health councils and making decisions based

on political considerations, does he intend to continue the system of health councils or is he going to abolish them?

**Hon. Mr. Timbrell:** Mr. Speaker, the usual criticism I get is just the opposite, that such considerations are not taken into account. I have not seen the article but I should tell the member that at the meeting of all the health councils in Sudbury about three or four weeks ago there was certainly no indication of any such sentiment from any of the health council chairmen present at that meeting, including the chairman of the Niagara District Health Council.

Secondly, I would invite the member to examine the record and look at the list of recommendations that have come from all of the health councils in the province. By and large, if one wants to put it in World Series terms, the ministry has a very high batting average when it comes to accepting the advice of the health councils.

If the member cares to be specific on the reports that have been submitted or that are under consideration, I will be glad to deal with them, but his generalization is totally unfounded in fact.

**Mr. Bradley:** There are some people in the province who would contend that the purpose of having district health councils is to have someone to blame when the provincial government has a very difficult decision or unpopular decision to make. In view of the comments of one of the health council members, I would like to know how the minister squares his answer with one of the comments with respect to a 1977 submission to his ministry. It is from John Pennachetti of the Niagara District Health Council, who says: "It makes me wonder why the hell we are wasting our time sitting around this table." He added if the ministry did not change its attitude, "We might as well go home and stay home."

**The Deputy Speaker:** Does the member have a question?

**Mr. Bradley:** Yes. I am asking how the minister squares the apparent calm that existed at the meeting he attended a couple of weeks ago with the comments that are now coming from the Niagara District Health Council suggesting he is ignoring their advice and making decisions based on political considerations only.

**Hon. Mr. Timbrell:** With respect, the honourable member still has not said about what. If I remember correctly, that council consists of 17 or 19 people. From what the



member has just told me, I do not know what is the cause of this person's frustration. I would be glad to know. But I can assure the member, my experience after four years in this portfolio is that as sure as hell the district health council is not going to save this minister from any criticism.

### SALE OF STELCO SHARES

**Mr. Mackenzie:** Mr. Speaker, I have a question of the Premier. On Tuesday evening, October 21, during the estimates of the Ministry of Industry and Tourism, I asked the Premier's colleague if there was any evidence of a takeover bid at Stelco because of the heavy share trading; whether he was prepared to prevent such a takeover bid and whether the stock transactions indicated sales outside of Canada. He indicated he would not allow such a takeover but did not respond to where the sales were being made.

The Ontario Securities Commission has now stated there is no takeover bid under the technical rules of the commission. However, in view of the trading of one third of the total common shares of Stelco since June—as many as one million in a single day and almost 10 per cent in less than a week—will the Premier reply immediately in this House as to the number of shares whose ownership has moved to the United States or other countries as of this date and whether anyone or any group is now in control of or in a position to control as much as 10 per cent of the issued common shares of the company?

**Hon. Mr. Davis:** Mr. Speaker, I thought the honourable member was at the root of all of this share activity and that he himself has been buying these large number of shares. The Minister of Consumer and Commercial Relations (Mr. Drea) will be here on Monday. I will ask him to see whether he can get some of that information for the member and the House on Monday afternoon. Personally, I do not have it. I am not sure how much of it would be available, but anything we can get for the member, the minister will have here on Monday afternoon.

10:50 a.m.

**Mr. Mackenzie:** Will the Premier instruct the Ontario Securities Commission to report the trading in Stelco stock since June and to continue to monitor the trading and report regularly to this House, as well as providing the information we specifically asked for? A number of people, including high people on the corporate ladder, do not seem to be able to get the information as to what is happening with the stock.

**Hon. Mr. Davis:** I would assume the Ontario Securities Commission would be monitoring it in the normal sense of the word. I am not sure this information is available. I assume the honourable member has talked to some of the senior people at Stelco and they themselves, I understand, do not know who may or may not be acquiring some of these shares. I will ask the minister to get as much information as is available for the public domain and have it for the members of the House on Monday.

### GOVERNMENT ADVERTISING

**Mr. Cunningham:** Mr. Speaker, I have a question to the Premier on the subject of government advertising. When the minister responsible for freedom of information reported to the Legislature on the implementation of freedom of information and protection of personal privacy, he advised the House that the Premier had written ministers encouraging them to "conduct an open and responsive behaviour among public servants in their daily dealings with the public, particularly members of the Legislative Assembly"—and the press, I believe.

In view of that, I wonder whether the Premier can justify the reluctance on the part of the government to answer questions placed on the Order Paper with regard to advertising expenditures on the part of the province from the years 1973 to 1980 and tabling of information with regard to guidelines for government advertising as well as what agencies are currently involved. I would have thought those matters would have been a matter of public record—

**The Deputy Speaker:** Order. The questions have been asked.

**Hon. Mr. Davis:** Mr. Speaker, I would like to know what evidence the honourable member has as to any reluctance. The government has answered some of the questions that are on the Order Paper relatively expeditiously.

I think the honourable member might be interested some day in asking one of the ministers of the crown just what the cost is for the preparation of some of these answers. The member would be quite surprised. Perhaps one should do a cost-benefit analysis of the time and effort required to satisfy what is, on occasion, a rather personal whim on the part of some members opposite.

I would say to the honourable member, we are in the process of answering most of the questions on the Order Paper. Most of

the questions have been answered; we are in the process of answering the others. I do not sense any reluctance.

**Mr. Cunningham:** It was through my interest on behalf of the public with regard to expenditures that I placed a question on the Order Paper on October 9. I received an answer on October 21, indicating that the answer would be forwarded to the member as it becomes available but it would require some considerable time and effort.

I draw the Premier's attention to Order Paper question 276, wherein basically I am asking questions that should be strictly an accounting proposition—asking what our total budget expenditures were and who the agencies were involved. I would think the Premier would have to know who the agencies were, because I think he would have to know who those big cheques were sent to.

**Hon. Mr. Davis:** I am sure the honourable member is more aware than he lets on as to the actual routine that is followed with respect to "government advertising." The member talks about the agencies; there is no question, the government uses agencies, the member's party uses agencies and his federal colleagues use agencies very extensively. They always do it on a totally objective, nonpartisan basis. The member has a great deal of research money provided by the public for his caucus. Most of it can be found in public accounts in terms of "the agencies."

If the honourable member wanted to spend an hour or two this weekend, I am sure he could elicit on his own a great deal of the information. But in terms of the numbers and the time frame for which he has requested it, it does require a fair amount of time. We are not reluctant to answer the questions, but it does take time.

### PESTICIDES TESTS

**Mr. Isaacs:** Mr. Speaker, I have a question for the Minister of the Environment. My question is about the IBT scandal and about the fact that the minister's Pesticides Advisory Committee and his staff have known for almost three years that some commonly available pesticides have been approved on the basis of falsified or fictitious test results from Industrial Bio-Test Laboratories in the United States.

Is the minister aware that several of the IBT-tested pesticides are known to cause serious health problems under laboratory test conditions? What is the minister doing to

investigate the problem? And will the minister place these essentially untested pesticides in a restricted-use schedule until their safety or otherwise has been established?

**Hon. Mr. Parrott:** Mr. Speaker, we have been in touch with the Department of National Health and Welfare in Ottawa. I think they are actively considering this matter. I want to tell the House, in those cases of pesticides, under no circumstances was a recommendation made based solely on the results from that laboratory.

I think the member has terribly overstated the case, which he is apt to do on many occasions. He has made a very poor choice of words. It is not a scandal. I wish the member would use his words more carefully. It would be more conducive to understanding the complexity of dealing with these chemicals. They serve a very useful purpose but we do have to monitor their uses and adverse effects carefully. Indeed, that is being done. The Department of National Health and Welfare in Ottawa is making a very comprehensive review, and it never did put those on a list based solely on the results from one laboratory. That would have been unwise.

We have asked the Pesticides Advisory Committee to look at these particular products. There is a large number of them. That takes a lot of research and it is all being done, both by the federal government and by us.

**Mr. Isaacs:** Is the minister not aware that under the Ontario Pesticides Act he is empowered to investigate problems relating to pesticides, to conduct research relating to pesticide safety and to conduct studies of the effects of pesticides? Is the minister not aware that a pathologist has said a Manitoba farmer who died in May would be alive today if he had not used one of the pesticides on this suspect list? Does the minister not think his staff should have acted a lot more quickly to ensure that the pesticides allowed to be used in Ontario are as safe as they can be?

**Hon. Mr. Parrott:** Again, the Pesticides Advisory Committee is one of the most respected committees one can possibly find. The member asked us to go to the academic community and find the best. I don't hear the member complaining about any individual on that committee, just that collectively they are no good. That does not make a lot of sense. They are respected people in the academic community. Collectively and individually they are competent. They have acted. They are reviewing that literature and have



done so at great length. It is not just, as the member would have it, a matter of saying to ban everything. The world must go on. It is not really a legitimate position to take.

I think that committee is an excellent one. Immediately upon notification from me that they should look at it, they have acted quickly and responsibly.

### SPECIAL OCCASION PERMITS

**Mr. Blundy:** Mr. Speaker, in the absence of several ministers, I would like to ask the Premier a question, if he is available for questioning.

A short article in the Toronto Star on Wednesday points out that the top profit producer in the retail field is, as usual, the Liquor Control Board of Ontario, with profits of \$407 million on sales of \$1.8 billion at the end of March.

In view of those statistics, how does the Premier feel about the liquor control board's dictating to the charitable groups, the athletic groups and the ethnic groups of this province how much they must charge for a bottle of beer, or saying to groups putting on affairs for the children's centre in Sarnia that they must pay \$1.40 for a bottle of liquor? These groups are trying to do something for our community. How does he equate that system with the profit picture being shown here?

11 a.m.

**Hon. Mr. Davis:** Mr. Speaker, just to deal with the preface to the honourable member's question when he observed the absence of several ministers: If the member were being fair, he would know the question should be directed to the Minister of Consumer and Commercial Relations, who is not here. But in my rough calculation, there are more ministers of the crown here this morning than there are members of the Liberal Party. I think the record should show that. Pardon? What did the member for St. George say?

**Mrs. Campbell:** We are not supposed to be here to answer questions.

**Hon. Mr. Davis:** Of course not. That is one of the great advantages of being a member of the Liberal Party of Ontario: they never have to answer questions or be accountable for the things they say. I understand that. The member will have to get up a little earlier in the morning.

**Mr. Bradley:** Now back to the question.

**Hon. Mr. Davis:** I just want to make it very clear: As long as members of the opposition insist on having preambles of a semi-provocative nature to their questions, then

they can expect some modest reply. I mean, that is only fair. I know the member for Sarnia (Mr. Blundy) wants to be fair, particularly in the last months of his tenure here in this Legislature. He certainly would not want to create the opinion that he was anything but fair and objective. We have enjoyed his presence; we really have. I say that quite sincerely.

**Mr. Blundy:** I expect to be here for a while yet.

**Hon. Mr. Davis:** I see. The member is hard at work.

**Mr. S. Smith:** He will be here and you won't.

**Hon. Mr. Davis:** I see. I am not a betting man, but—

**Mr. Cunningham:** Except during the Argo season.

**The Deputy Speaker:** Order. Will the Premier please answer the question?

**Hon. Mr. Davis:** Mr. Speaker, the member for Wentworth North is being very provocative.

There has been some discussion of this issue; we had a discussion yesterday. I would say to the honourable member that the Minister of Consumer and Commercial Relations will have not only an answer but also a very detailed answer for him on Monday at two o'clock.

It is not the intent or the practice to limit in any way the capacity of these institutions or organizations to raise funds in a proper fashion for charitable purposes. The minister will explain it to the member in great detail. If the member is having any problems the minister will sort them out for him, as ministers of the crown are always sorting out problems for the member for Sarnia, including his support of the multinationals, which is contradictory to the position of his leader.

**Mr. Di Santo:** Supplementary, Mr. Speaker: Since these new regulations are affecting many ethnic organizations which are really in a bind now because they cannot survive—they usually do no fund-raising for charitable or cultural purposes except to survive as organizations—and since those organizations are vital to the communities, does the Premier not think that the only sensible thing to do at this point is simply to cancel the regulations and go back to the status quo previously acceptable to everybody?

**Hon. Mr. Davis:** I would say to the honourable member, there has been some confusion with respect to the interpretation of

the regulations. I happen to know there has been. If the member has a problem and wants to have a discussion with the minister, I am sure the minister or the ministry can sort it out for him. The minister has been able to do so for many members, including those opposite. I suggest the member address this question to the minister on Monday and he will explain it to him.

### ONTARIO HUMAN RIGHTS COMMISSION

**Mr. Bounsall:** Mr. Speaker, I have a question of the Minister of Labour. The minister has announced that 11 more employees will be hired by the Ontario Human Rights Commission, with half of those working in the educational field only, which is laudable in that regard. However, does the minister really believe that the other five or six left to be assigned to case work in the field are in any way sufficient to clear up the backlog of cases, let alone give these field workers the opportunity to initiate cases?

**Hon. Mr. Elgie:** Mr. Speaker, if I could just correct the figures, what I said yesterday was that there will be nine new field officers, with a lawyer to act as counsel to them, to deal with day-to-day problems and facilitate the work of all the field workers. In addition, there will be five support staff. We are talking about an additional staff of 15. Five of the field officers, as the member has rightly said, will be going to the race relations division to deal with preventive roles in certain sectors of society. I think the member will agree that is a very good and very needed move.

The other problem the member has raised is the problem of the number of cases that have been presented and the backlog that has built up. That is true. The complexity of cases has changed over the years, as he knows, and an element of natural justice has been introduced into the process which is more time-consuming. I recognize there is a need to deal with those backlogs, and we are currently trying to put together a group of people on a contract basis who can help resolve the backlog problem and get caught up.

**Mr. Bounsall:** Will the minister involve himself now, directly and immediately, in the administration of the Ontario Human Rights Commission to ensure that they will investigate all cases, but particularly those involving sexual harassment, with all possible speed and efficiency and in a much less time-consuming way than they do now—

handling each case in isolation as if they have never heard of a similar case before—and with an attitude of enthusiasm and encouragement to the claimants rather than with what has become a well-known litany to any claimant of the problems involved by the human rights commission in even taking the first step in their claim—

**The Deputy Speaker:** I think the member reached the question a while ago.

**Mr. Bounsall:** —a problem raised two weeks ago by Ms. Rosenberg in the sexual harassment of herself and her successor in that particular job location?

**Hon. Mr. Elgie:** I do not intend to get into the administration of the human rights commission. I have every confidence in the executive director, Mr. George Brown, and I assume the member does too. If he has reason to suspect otherwise, let him say so publicly, because he would be wrong.

I am surprised the member would bring up the question of sexual harassment, because there is no area that has been of greater concern to the commission than that area. The number of cases that have been investigated has been increasing rapidly and the number of inquiries that have been ordered has increased dramatically. It is through the ingenuity of that commission that this particular problem is being dealt with very ably at the moment.

I recognize there are problems. If the member wants to sit down with me some time and talk about the facts of individual cases and why they were delayed, I will be glad to, but in my personal review of individual cases there is usually a reason for any delay.

### ODC OFFICES

**Mr. B. Newman:** Mr. Speaker, I have a question of the Minister of Industry and Tourism. In view of the mass unemployment in the Windsor area and the need for more economic activity, will the minister consider opening a branch office of the Ontario Development Corporation in the Windsor area so that those interested would not have to communicate with the London office but could expedite matters at the local level?

**Hon. Mr. Grossman:** Mr. Speaker, we have been trying to work out that problem. We have been covering it in the interim by having more of our staff spend time in the Windsor area. I think the member would find they have been there a lot more often



in the past year than was previously the case. We are currently looking at our array of ODC offices in the province to see whether some relocations or new offices might be possible. If the funds become available, Windsor will be very high on our priority list.

11:10 a.m.

#### ANSWERS TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Wells:** Mr. Speaker, before the orders of the day, I wish to table the answers to questions 275 and 302 to 305 standing on the Notice Paper. (See appendix, page 3753).

#### ORDERS OF THE DAY

House in committee of supply.

#### ESTIMATES, OFFICE OF THE PREMIER AND CABINET OFFICE (concluded)

On vote 201, Office of the Premier program, and vote 301, Cabinet Office program:

**The Deputy Chairman:** I believe the member for Ottawa Centre had the floor when the committee rose.

**Mr. Cassidy:** Thank you, Mr. Chairman. Last week I was out talking to people from the Ontario Federation of Labour about adequate day care. The Premier may be aware of the visits by a number of people from the day-care community out here yesterday. I hope he has a paternal word with the Minister of Community and Social Services (Mr. Norton), who has not had the experience the Premier has had of raising children. Perhaps he would suggest to the minister that it is not a traumatic experience for kids to take part in a demonstration where Salome Bey is singing and they are dancing and having fun as well as making a political point. Why do we not get a Minister of Community and Social Services who will start to protect children rather than trying to put them down and boycotting any occasion when kids come to the Legislature to see him?

I do regret not being here last week, but I am here now and have a chance to talk to the Premier. A couple of hours is too little time to talk about the problems of the whole government, but none the less that is what we have got.

I am concerned about the way the government is handling Ontario's economy. I make no bones about that, but I want to

make a few comments about some other issues before I get to that. Then I would like the Premier to give us some response on what he and the government will do on the issues that New Democrats think are important; that is, to create jobs, to protect women and provide them with economic equality, and to bring full employment into this province instead of the situation we have right now.

In response to the Premier's comments from last week when he suggested that "Bill" is a household word in the Italian community and that "Michael" is not—

**Hon. Mr. Davis:** I didn't say that.

**Mr. Cassidy:** It was something like that.

**Hon. Mr. Davis:** Mr. Chairman, on a point of order: I did not say that. The member was not here. What I said was that it was interesting that at the opening the honourable member wanted me to make sure that I said "Michael Cassidy." That is all I said.

**Mr. Cassidy:** I do not recall seeing that in words my Italian friends would understand. [Translation from Italian]

Last Friday, the Premier referred to the official inauguration of Columbus Centre, the new recreation centre realized by the Italian community.

The Premier would have us believe that the Conservatives have the Italian community in their back pocket. It seems he wanted to make believe that I was not well known simply as Michael, or "Michele," among Italo-Canadians. Perhaps the Premier does not know that a "bill" is something you pay, for an Italo-Canadian.

I take this opportunity to correct this misunderstanding and make known to the Premier that the NDP, my party, has not one, not two, not three, but four Italo-Canadian members. I believe this to be plenty of recognition towards my party.

I have undertaken to learn Italian, because this community is very important to the NDP. This my party shows with action, not words.

I can guarantee the Premier that during the next election campaign, I as leader and all members of my party will do our best to make him less well known.  
[End of translation]

**The Deputy Chairman:** May I remind the member that the languages of this House are French and English. I do not know just what he is reading there, and I am in no position to pass comments since I don't understand Italian, but I do point out to him that the languages are French and English.

**Mr. Cassidy:** With great respect, Mr. Chairman, I distinctly heard Italian spoken, because I spoke it myself, in the course of the debate on the constitution. If one can talk about the constitutional future of this country in another language, which is spoken by more than half a million residents of Ontario, I am sure we can do that on the Premier's estimates.

**The Deputy Chairman:** One of the purposes of this House is to exchange views and to understand. If you come in here and speak a language that the majority of us do not understand, it is not serving the purposes of the House. However, I am not making the rules. The rules are there and they were waived on that occasion, I understand, by consent of all parties on the debate.

**Mr. Cassidy:** Are you making a ruling, Mr. Chairman? Are you suggesting that it is not possible to talk in words that would be understood by many people?

**The Deputy Chairman:** I am just saying that the two official languages of the House are French and English.

**Mr. Cassidy:** I will just conclude by saying that in Italian a bill is something one pays. I would suggest as well that if one wants to look at the way the Italian community supports the various parties in this province, one has to look at the fact that the member for Dovercourt (Mr. Lupusella), the member for Downsview (Mr. Di Santo), the member for Oakwood (Mr. Grande) and the member for Bellwoods (Mr. McClellan) are four members of the New Democratic Party elected by the Italian community and people who are themselves legitimate Italo-Canadians elected here. They represent the whole community, but it is the support of the Italian areas of this community that comes to the New Democratic Party because of the work we have done on behalf of working people, including people from the Italian community.

I would like to bring the Premier up to date on an issue that affects Ottawa Centre, before turning to questions on the economy.

**Hon. Mr. Davis:** Where do you stand on section 133?

**Mr. Cassidy:** I will come to that in a second. On Monday, I will be in Ottawa for an important meeting in Cartier Square on the new courthouse project, in which the city, the province, the National Capital Commission and citizens' representatives will be present. A model of the new building will be shown at that time which, if it corresponds to what I saw in August, indicates that we

now have the possibility of a building of some character and distinction for the new courthouse in Ottawa.

I want to point out, though, that just under a year ago the government finally announced the plans for the new courthouse, which we had been seeking in Ottawa over the previous decade and a half. I supported both the need for the courthouse and the site that was eventually chosen for the courthouse in Cartier Square, but the way in which it was put forward was a bad decision. I want to tell the Premier that decision has been turned around now, and the responsibility lies in the way in which the city, local representatives and people in Ottawa have participated and turned a badly conceived decision into what can now be a good one.

If the province had had its way, we would have had the US Embassy, the courthouse and a teachers' college used for national defence purposes put side by side in a way that none of the buildings could have adequately served their own needs or the people of Ottawa. They would have been lined up all in a row on Elgin Street, almost totally closing that area off along Cartier Square to the use of the public.

Architects could not have rescued it, and it was one of the factors that eventually caused the Americans to recognize they should accept an alternative site. But the issue about the site of the US Embassy alongside the courthouse was raised only because people in the area raised it. It was not raised by the province, and we would not have had a good courthouse had we tried to crowd it into the site originally accepted.

The Premier was critical at the time about the fact that people in Ottawa felt they had a legitimate right to participate in saying how the courthouse in Cartier Square should be designed.

**Hon. Mr. Davis:** That is not true.

**Mr. Cassidy:** I want to suggest that the Premier made bad decisions because of the fact that both the National Capital Commission and the province were working behind closed doors, and the Premier would not take the public into his confidence until he was compelled to do so because of the work a number of us were able to do to convince the province otherwise.

With the US Embassy moved, we have liberated the architects working on the courthouse to allow them to produce a fine building.

With the teachers' college, which the province would have left to a use that was totally



nonpublic, the city now has received more than 80 proposals for public uses, and it looks as though the teachers' college now can be turned into an arts centre, which will have enormous importance at that location in Ottawa. I hope the province will participate and support that.

The National Capital Commission has been persuaded to bring in some new staff who are much more open to participation. I am glad to hear there is now talk—and I trust the minister of Government Services (Mr. Wiseman) will see that Ontario participates in this—of a series of public hearings and displays which will, as I suggested this summer, take place in the teachers' college building adjacent to the site of the courthouse, to let the public know more about what is planned for the Cartier Square site.

All that is welcome. I suggest it should have happened one and a half years ago. I hope the province takes part.

11:20 a.m.

I want to make a final appeal in this issue to the Premier, since I have not had a positive response to the letters I have been sending on this subject over the course of the last two or three months. My appeal is this: Let us ensure that the courthouse is more than just a building that handles judicial and family court functions. Let us ensure that all the quasi-legal functions that could take place in that building are centralized there. I am thinking of such things as consumer protection, landlord and tenant information, and the rent review board, which is now on Bronson Avenue at Carling. I am also thinking of legal aid, which at this point does not plan to put its operations into the courthouse but only to have a very small office to serve people who are defendants before the criminal court.

Let us put the small claims court into that building and everything that can possibly have to do with court functions. Let us ensure that people can go and pay their traffic tickets there. Let us get the Ministry of Transportation and Communications, which does not have a vehicle and driver licence bureau in downtown Ottawa, to put its facility into the courthouse complex so that people will have a reason to go into the building for reasons other than that they are being accused of a crime or are involved in some form of civil litigation. Finally—

Hon. Mr. Davis: Finally, your constituency office.

Mr. Cassidy: No. I will keep that over with my people in Dalhousie ward.

Hon. Mr. Davis: You would get more visitors if you had it in the courthouse.

Mr. Cassidy: I get a lot of visitors where I stand right now because of the government's programs. We are always cleaning up the problems created by the Premier's government.

Hon. Mr. Davis: How many times are you there?

Mr. Cassidy: I am there pretty frequently. As a matter of fact, I am there as frequently as the planes go back and forth. Every year, we have to deal with more and more cases because of the cutbacks that are being imposed by the Premier's government and because of the way they misadminister the programs that are meant to be for the benefit of the people of the province. That is true.

My final point to the Premier is this: In the responses I have had from the Minister of Government Services—and I am glad to see he is in the chamber—and from other ministers to my suggestion that this building be treated not just as a justice building but also as a symbol in Ottawa of the provincial presence, the response has always been: It is somebody else. The Attorney General says: "We are just simply a client. The Ministry of Government Services are the people responsible for the building." The Minister of Government Services says: "I am just a service department. We just put the building up for the people who want to use part of it."

I want to suggest that if the Premier, on behalf of the cabinet, undertakes that the building will include an information centre about provincial government activities, where there can be displays about Ontario government activities and access to Ontario government publications, only then will there be an attempt to have a presence, in the second largest city in the province, of the government of Ontario and not just of justice services.

People should be able to walk in off Elgin Street and find out that, even though the Community and Social Services office, or the family benefits office, may not be in that building, there will be a place where they can get information about that service. There will be a place where school children can learn about what goes on here so that people do not just have to come to the galleries that are on the first floor of this building to get some idea about what takes place.

Ottawa has been a federal town for a long time, and yet the provincial government has an important, albeit sometimes not too

visible, presence in Ottawa. We should be ensuring that what is built is the finest building possible in terms of architecture, but we should also consider the function of the building and make sure it is a provincial presence and not just a glorified courthouse.

Finally, the National Capital Commission now is requesting that a portion of this courthouse building have public uses, such as pubs, cafeterias—I am not sure what kinds of things they have in mind. I hope as well, because of its importance in downtown Ottawa, the province is prepared to go along with that.

The Premier mentioned section 133. I do not want to dwell at length on the question of the constitution as I would not want to embarrass the Premier because of certain dissonance that I understand occasionally exists within his party over his support for Mr. Trudeau.

**Hon. Mr. Davis:** You guys have the same problem with Allan Blakeney.

**Mr. Cassidy:** Regardless of whatever problems the Premier has with Joe Clark, I stand four-square with Ed Broadbent. We are together on the constitution the way we are on every other issue connected with the economy.

**Hon. Mr. Davis:** You aren't standing four-square with the Premier of Saskatchewan.

**Mr. Cassidy:** The Premier of Saskatchewan is standing three-square with us.

I would point out, among other things, that the New Democratic Party, long before some other parties in this country discovered the question of civil rights, was there fighting for them at a time when it was not always a popular issue. It was not popular to oppose the War Measures Act, but we did. It was not popular to fight for the Japanese who were interned during the Second World War. It was not popular to fight for the right of Orientals to vote in this country in 1948, but the New Democratic Party put itself squarely on the record as supporting that right after the shameful treatment of the Chinese people in this country between the First World War and after the Second World War.

**Hon. Mr. Grossman:** No government has a better civil rights record than this government.

**Mr. Cassidy:** What? Five years or four and a half years to implement the report on living together for the Human Rights Code? A backlog of 900 cases? Putting a civil servant in and putting her into total obscurity for three or four years.

**Hon. Mr. Grossman:** Cite the government that has a better record. There is no government with a better civil rights record.

**Mr. Wildman:** Repeat it enough times and you will believe it.

**Mr. Cassidy:** I believe it is time to patriate the constitution of Canada. I know the Premier is probably in favour of repatriating the constitution to Canada. I would have more confidence in the future of this province, however, if we had a Premier who was as thoroughly committed to repatriating control of our economy as he is to repatriating control of the constitution of Canada.

**Hon. Mr. Davis:** Do you want that in the constitution?

**Mr. Cassidy:** I would suggest there are a few things his government could be doing to ensure that we control the economy, and not just control the fundamental laws of the country. Sixty per cent of the manufacturing industry of our country is controlled abroad. Even after we repatriate the constitution, we will not be able to say that we are truly *maitres chez nous*.

I believe that the rule of unanimity in the amendment formula was threatening to fossilize the constitution and it was time to find a change. That change now appears to be in prospect. I share the reservations of Allan Blakeney, my friend from Saskatchewan, and of others, over the degree to which referendums could be used to go over the heads of provinces as an amending formula for the constitution.

**Mr. Breithaupt:** He stands three-square with his leader.

**Hon. Mr. Davis:** Three-square? Who is the leader of your party in Quebec? Because then you have to be four-square.

**Mr. Cassidy:** The Premier talks about the leader of his party. I just threw that one out.

**Hon. Mr. Davis:** I understood that the Liberal Party in Quebec was opposed.

**Hon. Mr. Grossman:** Give me a dime and I will call to see who the leader is.

**Mr. Cassidy:** I would suggest the referendum technique should be used only as a last resort and there should be an assurance that it would not be used as a means to avoid dealing with the provinces. I think the Premier is probably fairly open to that particular suggestion. He knows it is being proposed by Allan Blakeney and others. I think that is something the federal government should have a serious look at while the resolution is in committee.



There are two or three other areas I want to comment on. I am proud of Ed Broadbent's leadership in pressing for changes in the package that was announced three weeks ago by the Prime Minister to ensure that the package does have some balance with respect to the provinces in western and eastern Canada, specifically in regard to the question of resource ownership for the provinces, the question of indirect taxation over resources. We believe it should be included.

We think the commitment this province made and the resolution in the constitutional debate, that the status quo has to be changed and we cannot go along with the status quo, includes a recognition of the concerns of western and eastern provinces with respect to resources. I think the Premier is prepared to iterate, if not to reiterate, that the government of the province will make that commitment and is prepared to go along with the suggestion now being accepted by the Prime Minister.

I think as well that proposal is important for Ontario. We are a province in which resources are as important as in most other provinces in Canada. We are rich in resources, and resources are an essential tool for development of vast areas of this province. In fact, they are the only tool. I speak of the north in particular, but I join with my friends in northern Ontario in saying that in having control of the resources of Ontario we should make sure the benefits come back to us here in this province, particularly to the people of northern Ontario.

11:30 p.m.

On section 133, I do not believe the status quo is acceptable, and I am just looking for the reference in the constitutional debate. The Premier will recall the wording of the resolution in that particular debate which specifically rejected the status quo and indicated that Ontario also, was prepared to make changes. The western and eastern provinces, in some cases against their will, are now facing the situation where major changes in the status quo, including the unanimous amending formula, are being brought into Parliament in Ottawa and will be taken to Westminster.

The Premier has already taken some criticism from Premier Hatfield, who in other respects supported Ontario's position on the question of section 133. Frankly, I am concerned over the fact that the Premier continues to express reservations. I know on a personal level he has always found it difficult to accept any enshrinement of rights

that affect the other official language group in respect to Ontario. It is fine to express his reservations, but it could have been an act of statesmanship for the province to have indicated, publicly or privately, that it was not going to be business as usual.

I do not think the Premier should have gone with the warnings he made the day before the Prime Minister's statement on the resolution on the constitution with respect to the question of institutional bilingualism. I think that was an instance where Ontario could, while expressing concern, have expressed a willingness to go along.

**Hon. Mr. Davis:** I want to remind the member of what the member for Riverdale said a week ago.

**Mr. Cassidy:** Let me finish; Mr. Chairman, I have the floor. I would remind the Premier that we are in the process of having the statutes of this Legislature translated into French; so the acceptance of an obligation to have the statutes translated into French, which is part of section 133, is simply a continuation of something that is going on already. People already have, and have had for a long time, the right to use French in the criminal courts in Ontario. The question has been the pace and the degree to which the courts become bilingual under section 133. There, again, it has not been a matter of practicality. It is a matter of the symbol that is being expressed.

I am afraid that when the chance came along for Ontario to rise to the occasion, to indicate to our friends in La Belle Province du Quebec that we were prepared to see major changes in the status quo in this regard, bearing in mind their sensitivity about the treatment of French Canadians for so many years, we could not rise to that particular challenge.

I would also suggest there is an opportunity and a requirement for Ontario to rise to the challenge that is reflected in the part of the resolution that relates to French-language or minority-language education rights where numbers warrant. I have heard it indicated on behalf of the province—and I hope the Premier repudiates it—that this does not really change anything as far as Ontario is concerned, that putting minority language rights into the constitutional package does not have any effect in terms of policy or legislation in the province; it is all covered already.

Frankly, I am disappointed to hear that, because the Premier knows there are very real changes involved in Quebec's school legisla-

tion under Bill 101 as a consequence of the resolution that will go to Westminster. They are being asked to draw back from something, portions of which I find unacceptable but which certainly were decisions that were adopted by a substantial majority of the political representatives of the people of Quebec.

On our side, it seems to me we have to indicate once and for all that the question of minority language education in Ontario is resolved, and that is the spirit with which we take the proposed amendments: the proposed right to minority language education where numbers warrant.

If we are serious about changing the status quo, I would suggest that the government should be announcing now how it interprets that particular section and the spirit in which we are going to handle it. When I hear there is a court case being decided—I think it is today—with reference to a proposal for a municipal referendum in the Penetanguishene area on whether Ontario's commitment to French-language education in that area will be a reality or not, I am very disturbed.

I am sorry we have not heard up until now, from the government, an unequivocal statement that the municipalities have no call at all to put their oar into that particular area, that this is a decision being taken by the province and it is now up to local people to implement it. I am sorry it has to be that way. The Premier has gone through all of that, as we all have, for a long time. But if we have made the commitment, we cannot have exceptions in one area or in another.

The backing and filling of the Minister of Education (Miss Stephenson) over the question of enumeration of French-language electors for the advisory committees is something that should have been sorted out long before now, because the Premier will know that the present situation is unsatisfactory. The French-language school board in Ottawa-Carleton, a school board which, if it were together, would be among the seven or eight largest school boards for the French language in all of Canada and which, if created as a French-language school board, would be as large as all but seven or eight English-language school boards in the entire province, is something that the government should give a commitment to now if it is really serious about the commitment to minority language education that is being talked about.

We should have a decision by government to restore French-language, full-grade kindergarten in Ottawa-Carleton and other

areas where it is so vital as a means of protecting the French-language community against the assimilation with which they are constantly threatened. The right to a school should be endorsed in Ontario law where the numbers of French-speaking students warrant and not just the right to a class. The powers of the Languages of Instruction Commission of Ontario should be tightened up to ensure that commission has the right to decide, rather than to recommend, where there are conflicts between a French-language advisory committee and a local school board. That is the way we see the government would put into practice a commitment to the minority language section as regards the constitution. That brings me to the question of the economy.

**Hon. Mr. Davis:** If the leader of the New Democratic Party will permit a question, I really am a little confused. Is he saying the government of Ontario should have accepted section 133 and be bound by that in a new constitution? I ask him just to give me a very simple yes or no. I would remind him that his colleague the member for Riverdale said no and the Leader of the Opposition (Mr. S. Smith) has said yes.

**Mr. Breithaupt:** That is correct.

**Mr. Cassidy:** The member for Riverdale discussed some of the points that were in the committee's mind in looking at that. We understand that it will take time.

**Hon. Mr. Davis:** You are giving rather roundabout answers. I asked for a very simple yes or no.

**Mr. Cassidy:** All right. I will give the answer then. At its convention in Guelph the NDP looked at this matter with great seriousness. We decided the specific commitments that are required under section 133 should be enacted and should be here in Ontario. The answer, in other words, as far as we can see it, is a matter of saying yes. I cannot see why the Premier constantly backs and fills.

**Hon. Mr. Davis:** That is not what the member for Riverdale said. And I do not back and fill.

**Mr. Cassidy:** Il doit savoir que la confiance de la communauté franco-ontarienne dans le gouvernement est toujours hésitante à cause du fait que lorsqu'il est question d'endorser les droits des franco-ontariens, le Premier ministre n'est pas prêt à faire le pas qui est nécessaire.

Voilà l'exemple de la section 133 de la constitution qui est en jeu. Anciennement



c'était le projet de loi du député d'Ottawa Est (M. Roy) qui donnait un cadre de protection législative aux droits des franco-ontariens pour assurer les services en français, où c'est justifié.

Je ne sais pas pourquoi c'est toujours le cas que le Premier ministre de notre province résiste si carrément de faire les déclarations en principe qui sont recherchées par nos concitoyens de langue française en Ontario.

C'est le temps de résoudre cette question une fois pour toutes et malheureusement c'est quelque chose qui doit maintenant être résolu pendant le cours de la prochaine négociation sur la constitution.

We are going to have to come to this question over the course of subsequent negotiations on the constitution. Why the devil can we not get it solved right now?

**Hon. Mr. Davis:** All I am pointing out is that I asked the member for Riverdale last Friday whether he was speaking for the New Democratic Party. My recollection of what he said was that he agreed that it should not be imposed through the constitution.

**Mr. R. F. Johnston:** He agrees to the principle of section 133, and that is what he spoke about when he was there.

**Hon. Mr. Davis:** All right; just check Hansard. That was the impression I got last Friday.

**Mr. Wildman:** He said he could understand your position.

**Mr. Cassidy:** He said, "We understand your position."

**Hon. Mr. Davis:** No, he did not.  
11:40 a.m.

**Mr. Cassidy:** I cannot understand why the Premier does not understand that at no political cost to him, if he is concerned about what he fears may be political backlash from western Ontario, he could have this done through the federal Parliament. There is support from the other parties. The roadblock right now is obviously in the Conservative Party of Ontario.

There may be a love match between the Premier and Pierre Trudeau over the question of the constitution. I suspect that, effective next Tuesday, October 28, the Premier is going to be backpedalling furiously to make sure he is not associated with the Prime Minister with respect to the economic policies of the government of Canada.

**Hon. Mr. Davis:** We have rarely been associated with any federal budget in the last 20 years.

**Mr. Cassidy:** We are in for a budget that could make John Crosbie look like Florence Nightingale.

After the unstinting praise the Premier has had for the Prime Minister over constitutional questions, I predict the Premier will presently turn on his present bedfellows to bitterly attack the management of the economy by the federal government. I am not one to refrain from criticizing, because I think the Liberal Party of Canada, equally with the government of Ontario, has been failing to do the job. They are failing to create full employment, to regain control of our economy and to ensure that we run this country for Canadians and by Canadians, rather than having it run for us by people and corporations elsewhere in the world.

**Mr. Rotenberg:** A lot better than you guys could do with your multinational unions.

**Mr. Cassidy:** The anti-union member for Wilson Heights is keeping on here. I want to suggest to him that the day the customers and people of this country can control the corporations in the way the workers who are members of the United Steelworkers of America, the United Automobile Workers or other unions that have international contacts control their unions here, we will have a heck of a change—

**Mr. Rotenberg:** Where is all the pension money going?

**Hon. Mr. Davis:** You are getting in a sensitive area.

**Mr. Cassidy:** I am not sensitive about that one. I am proud to work with working people in the province and to work with the trade unions that have been chosen by the working people in the province. I wish we had some decent labour laws in Ontario to ensure that every working man and woman had the right to have the union of his or her choice.

**Mr. Rotenberg:** Who are you trying to protect?

**Mr. Cassidy:** I am trying to protect the workers. I am talking about what this government is doing. I have talked to the Minister of Labour (Mr. Elgie) just today about whether he is prepared to protect the workers at Bendix, and what did he say? He said: "I am very concerned. I am going to seek legislation." In the meantime, if the workers are sent off to a hotel room for half a day to learn how to write snappy resumé's, that is okay for this government. That is all the job protection they will get from the Tories. That is not good enough, as far as we are concerned, within the New Democratic Party.

**Hon. Mr. Davis:** Is this the corporate part of it?

**Mr. Cassidy:** I think the Premier's government, which claims to know about corporations, should perhaps get to know a bit better what multinationals have been doing to this country. As the Minister of Industry and Tourism points out, they move away from this country, they take the subcontracts with them and the jobs continue to disappear. They move from branch-plant to branch-warehouse operations. They are sending catalogues into this country rather than creating jobs, and the government is standing idly by.

This government opposed medicare. We would not have had medicare in the country if it were not for the work of the Co-operative Commonwealth Federation and the trade unions of this country and this province in showing that universal health care plans in places like Windsor and Oshawa could effectively protect the health of working people. Then they said, "What we desire for ourselves we desire for all." As a consequence, they ensured at the political level that we got medicare for every person in the province.

The Premier keeps on trying to pass the buck to the federal government. Then he turns around and criticizes them for doing nothing, or doing the wrong kind of job. But when we come back to look at what is happening in this province, they have nothing to offer.

Yesterday we had the Full Employment Act debate. It is a good thing the Premier was not here, because in 1943 his government made some commitments about full employment. It was something every democratic government was doing around the world. Yesterday his members came into this Legislature and said, "We support the principle but we are not prepared to do anything about it in practice." It was a shameful day for this Legislature to have 35 members of the Conservative caucus standing in their place and blocking that bill, a bill that simply would have required the government to have brought its plans for full employment here and would have established a standing economic development committee before which the government's plans could have been assessed and measured, and before which we could have debated how to achieve full employment.

**Mr. Rotenberg:** You wouldn't let the Minister of Industry and Tourism make a statement about all the new employment we got. You tried to block that.

**Mr. Cassidy:** The Minister of Industry and Tourism is grandstanding. He is not prepared to take action.

**Mr. Rotenberg:** Who was grandstanding? You were grandstanding in your whole bill.

**Mr. Cassidy:** The Minister of Industry and Tourism grandstands in this House. He does not poke his nose into the committee or into the private members' debates at all. He stays absent and leaves it up to people who say: "We can't have full employment"—this is Conservatives talking—"it is going to cause inflation." They say they cannot have full employment; it is going to cost too much. The Tories say: "We can't have full employment; it is an idealistic idea. Let's be realists." They say, "Let's be realists: Unemployment is here to stay."

That is the Conservative Party's position, and it is about time that position changed. It is about time we got a government in this province that was committed to ensuring that in fact there is full employment.

The initiatives we have taken this fall have been very simple ones. We think every worker in Ontario who seeks work should have the right to a job. He should have the right to a government that will ensure a policy of full employment. We think workers have the right to job protection. If they invest their lives in jobs, they should not be in a position where they can be put on the scrap heap at almost a moment's notice with no job protection, with no assurance that the companies they work for have made any effort to stay in business, and with every assurance in some cases that everything was done by the multinational owners to justify pulling out and taking the jobs somewhere else with no regard taken at all for the people in this province.

I am sick and tired of feasibility studies that are never released, as was done at Tung-Sol in the Premier's own riding. This demonstrates to management that the plant should be shut down, but there is no effort made to ensure whether somebody else might be able to run the plant and there is no effort made to justify what is happening.

Surely, if workers invest their lives in jobs, they have the right to justification for the actions of companies in throwing them out of their jobs, in the same way that shareholders who invest dollars in a company have a right to call their management to account to find out whether the management is doing an effective job on their part as well.

I want to suggest as well that it is about time we saw the right to economic equality



for women turned into a reality in Ontario. The provincial Secretary for Social Development (Mrs. Birch) is here. On Tuesday in the Legislature, in response to the report of the Ontario Status of Women Council, she said categorically that the government is not prepared to act on the major recommendations of that council. How long can we go on with a government that refuses to recognize the right of women to equal pay for work of equal value?

How long can we go on with a government that thinks it is okay that women be treated as secondary earners in the work force, earning on average 58 per cent of what men earn? How long can we go on with women being compelled in some cases to work because of inadequate family income or because of family breakup but not getting access to day care?

How long can we go on with a situation where our society effectively says men have the right to choose to work, but women who happen to have children do not have that right since, if they have kids, they are going to be forced to stay at home because of the inadequate care that is available for those children in the community? How long do we go on with the scandal of sexual harassment being allowed to proceed and nothing being done?

How long do we go along with the Minister of Education, who is not prepared to open up training opportunities for women? How long do we go along with the Minister of Labour and the Minister of Industry and Tourism, who were not prepared to take any effective action to make affirmative action more than a slogan, to make affirmative action into a reality?

**Mr. Rotenberg:** You have said that all year. Do you have any new ones today?

**Mr. Cassidy:** Sure. And I am going to keep on saying it. I will say it right up until the election itself, because we believe women should be given economic equality in Ontario. We think that is an important enough issue affecting half of the electorate of this province that it should not be put under the carpet, the way the Conservatives have been trying to do.

11:50 a.m.

In the member's own riding of Wilson Heights, there are probably 15,000 women who work. Does the member know how many of them have access to adequate day care? I suspect he does not, because it has not been a priority for this government.

Does the member for Wilson Heights know how many of the women up in that riding are forced to work at the minimum wage, or just above it, because they cannot get better jobs? Does the member for Wilson Heights, or any of the Tory members, know how many women have been deprived of opportunities, not because of a lack of intelligence, not because of a lack of education, but simply because of their sex? Does the member know how many women living in Wilson Heights and other ridings that the Conservatives represent are compelled to work part-time because they cannot get full-time jobs and still carry out their other responsibilities? It is far too high.

**Hon. Miss Stephenson:** Or choose to.

**Mr. Cassidy:** Some women choose to; that's right. But I suggest that, given a choice between a decent full-time job with a decent income or working at the minimum wage at a part-time job because that is all they can get, there are an awful lot of women who would take the decent full-time job if that decent full-time job were available.

Take the case of Stelco. It took the work of the leadership of Local 1005 at Stelco to demonstrate that over a period of almost 20 years that company had had applications and had hired close to 30,000 men but somehow had not got around to hiring a single woman for any of the production jobs in the Stelco plant in Hamilton. What a coincidence there was there. Where was this government with its commitment to women's rights over all that period of time?

**Hon. Miss Stephenson:** How many applied?

**Mr. Cassidy:** Many applied. Many more are applying now because they are beginning to learn that women will be hired. But if one knows damned well there is no point in applying because no woman ever gets a job, then—

**Hon. Miss Stephenson:** The affirmative action group under Marnie Clarke in this government has done a great deal to persuade Stelco to move in that direction.

**Mr. Cassidy:** That's rubbish, Mr. Chairman. This summer, 10 or 12 per cent of the people who were hired by Stelco at summer jobs happened to be women. That is not enough, but it is certainly a great stride forward. Would women have applied for the jobs there if they had known the situation continued to be as it was in the past? The answer, of course, is no. Why is it women cannot get access to skills training in Ontario? The figures are scandalous: one per

cent of the women in Ontario. They cannot get access; there are all sorts of obstacles.

**Hon. Miss Stephenson:** They most certainly can. There is no obstruction whatever.

**Mr. Cassidy:** That is simply not true. The member is misleading the House.

**Hon. Miss Stephenson:** You should know I am not.

**Mr. Cassidy:** Bring the figures before the House.

**Hon. Miss Stephenson:** I am not. The opportunities are there.

**Mr. Cassidy:** Can the Minister of Education explain why so few women gain access to the skills training that would give them jobs in the \$8, \$10 and \$12 category?

**Hon. Miss Stephenson:** They don't apply.

**Mr. Cassidy:** In my own riding of Ottawa Centre, the British American Bank Note Company had women with 20 years' service earning the same amount of money as caretakers who had six months' service and a grade nine education, and the caretakers were then allowed to take training as—

**Hon. Miss Stephenson:** That has nothing to do with access to training. Access to training is there. You are comparing apples and oranges, and you know it.

**Mr. Grande:** On a point of order, Mr. Chairman: I do not know since when it has become the practice in this House to turn on the microphones for members to interrupt the speaker. I would hope, Mr. Chairman—

**The Deputy Chairman:** It is not usual, but if the interjection goes on at some length it is sometimes done. The fault is probably with the chair this morning. There have been a pretty fair number of interjections, but it has been happening both ways, and the chair has been lax. Some of the interjections have been provoked, but I will try to limit them.

I would remind the committee that we are looking at the estimates of the office of the Premier, not of the other ministries, although I realize the Premier has an overriding responsibility.

**Mr. Grande:** May I suggest, Mr. Chairman, if the Minister of Education wants to involve herself in the estimates of the Premier, she can have her turn, as well.

**The Deputy Chairman:** She has an opportunity, I will agree, but so far we have about one hour and seven minutes left, and I do not think many of the private members, or ministers either, will have an opportunity. However, the member for Ottawa Centre has the floor.

**Mr. Cassidy:** What do I say, Mr. Chairman? I agree entirely with my friend from Oakwood that it's improper for the microphones to be turned on for the ministers but it's such an unusual occurrence for the ministers to be present at the time of estimates being taken, including the Premier's estimates, that obviously Hansard is marking the importance of the occasion. These people are never here after estimates begin.

It was a black day for the Legislature yesterday, Mr. Chairman, when the Conservatives rose in their seats in order to block the NDPs full employment bill. I will predict that when our bill for economic equality for women comes forward, the Conservatives will block that one as well. I also predict that when our bill for job protection comes forward, the Conservatives will block that one as well and that's a shame when there are 300,000 people unemployed in this province. It's a shame when 46,000 people have been laid off permanently or indefinitely just in the first six or seven months of this year. It's a shame when there is such a sense of insecurity in the province today and the government is not showing itself capable of responding and giving the kind of leadership that is required.

A month and a half ago the Treasurer (Mr. F. S. Miller) got up in this Legislature to say that what he saw for the province was good news. The good news, he said, outweighed the bad and then he turned around and said that if there is any bad news, the federal government should provide leadership. He told the federal government that it should stimulate the economy to create jobs but it should stimulate the economy without increasing the federal deficit.

The Treasurer suggested the federal government should move to expand rapid transit because it is essential to urban areas. I would like to know what the province is prepared to do in giving the green light to the transit authorities of this province. The Treasurer suggested unemployment insurance be used to set up short-term job creation projects. I would like to know what plans Ontario has for short-term job creation projects. Surely this is something that just isn't left to the federal government. The Treasurer talked about a comprehensive federal program for research and development. I would like to know what Ontario has done in the last 10 years towards research and development.

These are not problems that have suddenly come upon us; nor are they problems that can be left entirely in the federal sphere.



The Treasurer had the chutzpah to suggest that the federal government undertake a major upgrading of Canada's forestry resources. I ask myself, when forestry is such a matter of provincial jurisdiction, how is it that we don't have a commitment and action by the government to implement what the Premier used to say was his commitment or his promise about two trees for one. A third of our trees are being cut down every year, a third of the acreage of forest is not being replaced and this government can't turn to the federal government to bail it out of that one when that is a matter of provincial responsibility.

I want to express special concern over the Treasurer's calling on the federal government to loosen the controls on foreign investment. I ask the Premier, is that in fact the policy of the government? Is it the policy that Canada should be seeking to attract large new enterprises to this country? Is it the policy that we cannot afford to erect any investment barriers according to the Treasurer, or to reduce our industrial competitiveness? Is it the policy that nothing is going to be done about the multinationals' grip on Ontario? Is it the policy that nothing is done to check the irresponsible conduct of multinational corporations that are operating here in Ontario? I don't know. Perhaps the Premier can give us some enlightenment on that.

I was embarrassed to find the Treasurer even talking in that particular vein. I am embarrassed at the vacuum in economic leadership in the government that exists right now as witnessed by the fact that yesterday it was the Minister of Industry and Tourism (Mr. Grossman) who got up to boast about what the private sector was doing and not the Treasurer. Is the member for Wilson Heights or the Premier aware of the number of officials who have bailed out of the Treasury to move over to the Ministry of Industry and Tourism? Is he aware that where Darcy McKeough strode the waves a few years ago in providing some kind of direction to the economy of the province, now the Treasurer has become an insignificant figure whom nobody even notices? Is he aware of that? That is the kind of situation we have in the province right now.

12 noon

We look to the government's designing a plan for creation of jobs in Ontario. We get a government which, according to the debaters yesterday, only has the employment development fund to offer. I want to say a word about that, because I took the trouble to look

at the slender document in which the government justified its grants to the pulp and paper industry. I want to repeat our case; those grants have to be justified on the basis of the independent documentation that we know is available despite statements from the Minister of Industry and Tourism to the contrary.

Perhaps the Premier is aware that the special task force says specifically at the very beginning of its report that it was given the assignment of designing a practical plan of government assistance to Ontario's pulp and paper mills. This was not a conclusion from its deliberations; this was the assignment it was given.

The New Democrats are not against modernization of the industry that is so important to the economic health of northern Ontario in particular and Ontario in general. We have taken a clear position on the grants to the pulp and paper industry from the very beginning, however. If the financial assistance is necessary, we believe it should be extended in return for public equity in the companies, as well as very strict requirements for job creation and performance. The Premier knows the grants are leading to a reduction rather than an increase in employment.

The pulp and paper task force itself admitted the need for enormous capital spending but did not comment on the fact that this government, over the preceding 10 or 15 years when profits at times had been enormous, had failed to ensure that money was turned back into the industry here in Ontario to maintain a viable base. It did not comment either on the fact that adequate reinvestment in trees was not required of the companies, nor was it carried out by the government, which, since 1962, has been responsible for reforestation. That is why we think equity should have been taken by the government. It would have given a lever to ensure the means by which the profits are reinvested in Ontario and do not just simply go to enrich the owners.

We are against unnecessary grants going to the pulp and paper industry at the same time that the government is unable to finance a proper regeneration program. That is why we took so seriously this thick and carefully researched report on the pulp and paper industry, which was prepared for the Royal Commission on the Northern Environment and has been put out with the letterhead of that royal commission on it. We have not seen the published copy, but the final draft has that kind of imprimatur. Rather than looking at the contents, the Premier has chosen

to try to question its credibility in the face of a document that says they were given the job of designing assistance and not in looking at whether or not \$95 million worth of grants was justified.

I point out that the president of Spruce Falls Pulp and Paper has been publicly quoted as saying his company did not need or want a grant, but felt compelled to take one because the grants were being offered. I point out that Great Lakes Paper had already committed itself to a \$200 million investment for Dryden, regardless of whether the government's money was coming forward, and after an earlier application for money for Dryden had been turned down.

I point out that the most fundamental problem for the pulp and paper industry in northern Ontario is the lack of wood. The problems of regeneration have been elucidated by none other than the Minister of Natural Resources (Mr. Auld) himself in speeches that indicate at least 29 per cent of the forest area is still in need of attention, and he says we are no more than halfway to achieving our objective.

We simply want to know if the grants were unnecessary or not, and that is why we say to the government, table the material and justify that spending of \$95 million worth of grants. Do not get into the situation we are in on land at South Cayuga. Let's not look at these things five or 10 years down the line. Let's see whether what the government is doing makes sense right now, because people want to know right now or want to see where else that money can be spent.

I am concerned, I would say to the Premier, about the Pollyanna approach being taken by the government, because apart from a small number of grants from the employment development fund, there is not an overall package of proposals or planning to create full employment in Ontario. There is a vacuum in the most powerful ministry, the Treasury. The Minister of Industry and Tourism's statement talks about leaving things up to the private sector.

We are left, in other words, with the New Democrats prepared to put our plans forward, but we do not get a response from the government. We have been laying out our industrial strategy; we have talked about the jobs that can be created in the mining machinery industry, in the area of energy conservation and in the area of food processing, and we will talk about those areas, industry after industry after

industry. We will keep on doing it from now until the next election.

**Mr. Rotenberg:** When the Minister of Industry and Tourism tells you of the jobs that have been created, you try to stop him.

**Mr. Cassidy:** I will give the member for Wilson Heights an example of the kind of thing that disturbs me. Last spring, the Minister of Industry and Tourism talked about establishing a task force on micro-electronics. He said: "This is a matter of urgency. It is an area where we want to get involved." Six months have gone by since then and that task force has not even begun its work. If I ask the minister on Monday what the government is doing about microelectronics, he will say, "We have got a task force." It is no good having a task force out there in the private sector that is not doing the job and not doing any planning.

That is an industry that is important for my riding in Ottawa Centre and for the people in Ottawa. We may have an enormous increase in employment in that particular area. It is time the federal government, the provincial government, the trade unions involved, other representatives of working people, the companies involved and the municipal authorities in Ottawa sat down and started to plan co-operatively together in order to ensure the maximum advantage for this high-technology industry, which is one of the few bright spots in the industrial picture of the province.

I have come to the end of some of the remarks I wanted to put forward. I just want to ask the Premier, does he share the opposition of his party to the policy of full employment which the New Democratic Party has put forward? Is that what we are to interpret from the vote last night? Or would the Premier kindly indicate that somehow a dreadful mistake was made and he is now prepared to submit the government's plans to a standing committee, and that the government is prepared to make a commitment to full employment that we thought it had made many years ago, and to act on that commitment?

Will the Premier tell the House whether we were hearing wrong when the Provincial Secretary for Social Development (Mrs. Birch) rejected outright the report of the Ontario Status of Women Council on Tuesday on the questions of equal pay for work of equal value, of universal child care and of affirmative action? The provincial secretary does



not seem to have changed her mind. Will the Premier not tell the House some dreadful mistake was made in communications and the government is now prepared to bring in economic equality for women as a policy and take all the necessary steps to achieve that?

Would the Premier be prepared to tell us that some awful mistake was made last week when we got that statement from the Minister of Labour (Mr. Elgie)? Does the Premier not recognize that the workers of this province are tremendously concerned over the insecurity they are feeling in the work place, sometimes when they have as much as 25 or 30 years of seniority?

Does he feel that the government is no longer going to be content with the half measures the Minister of Labour had to announce but that the government is now prepared to make a full and unqualified commitment—not just to adequate severance pay, adequate notice and the protection of pensions, but that in future the investment of workers in communities, in companies operating in Ontario, will be recognized and that corporations that seek to shut down will be compelled to justify those shutdowns rather than being able to pull out of this province completely irresponsibly without even trying to justify their actions?

Mr. Chairman, I put those questions to the Premier. I have been deceived in the past, but I hope he will not disappoint me this time because the people and the workers in this province are looking for positive answers and if they do not get them from the Conservative Party, they are going to turn to the New Democrats for the positive answers we are prepared to provide.

Mr. Chairman: The members of the committee may like to know that there are 58 minutes remaining for discussion of the estimates of the Premier's office and the Cabinet Office. Would the Premier like to reply to the leadoff speeches?

Hon. Mr. Davis: Mr. Chairman, I am ready to reply, but I really do not want to reply and then have other members make some observations to which I would then reply again. If there are other comments on these estimates, I would be delighted to listen and then I will sum up in my usual fashion in answer to the observations made by the members.

Mr. Breithaupt: We only have 58 minutes.

Hon. Mr. Davis: I could go on for quite a while.

12:10 p.m.

Mr. Cunningham: Earlier today, I asked the Premier a question regarding the Order Paper process and I must say I was attracted to his response. The question on the Order Paper I referred to was number 276 in my name. I haven't looked today but I guess there are a number of questions there and I am sensitive to the cost associated with the tabling of these answers as requested.

When I contemplated the question, my original concern, sir, was that in Ontario I sense from the time that I watch television—I am usually limited to Canadian football and the news—that we are spending a lot more.

Hon. Mr. Davis: Why do you restrict your horizons so much? Why wouldn't you sort of—

Mr. Cunningham: If I can respond to your interjection, sir, I am becoming less interested in Canadian football.

Hon. Mr. Davis: That is your shortcoming, not mine.

Mr. Cunningham: We could probably talk about the shortcomings of the team here in this town. I won't bore you with that.

Mr. Chairman: It really comes under this vote?

Mr. Cunningham: No, I guess it doesn't.

Hon. Mr. Davis: You must be critical of your own team.

Mr. Cunningham: Not at all, sir, not at all.

To get back to the point: We are spending a lot more, a horrendously larger amount, of public money on what have to be perceived to be quasi-political endeavours. I sense as well that we are expanding our expenditures in the context of not only government publications, house organs, propaganda items from time to time, but also in print and on radio and television.

It is just a hunch that I would publicly recant if the government's public expenditures this year are less than they were last year or the year before, but my gut feeling is that they have increased tremendously. Having been in the advertising industry, I am not unaware of the incentive that exists for, say, the government advertising agency of record or some of the lesser lights, as they would be, that are involved in government advertising.

A lot of money is made in production; a tremendous amount of money is made in the commission fees they obtain by placing ads in the newspapers, on radio and on television. There is a built-in incentive for any government advertising agency to pursue actively and aggressively, communications programs. It is not always in the best interest of the

company to suggest that program might be a little more modest. Hypothetically, a program could cost \$200,000 and might well do. But when the agency is calling the shots, and there seems to be an open purse on the part of the government, there is no reason why the program doesn't end up spending \$750,000 or maybe even \$1 million in advertising.

In view of the restraint program the government has been conducting, we are going to have to make sure in the future that every dollar that is spent by government, whether it is a government run by the Premier or by us, is going to be in the public interest and spent with far more consideration than we have seen in the last four or five years. We just don't have the luxury of wasting money. And I sense that we are wasting literally millions of dollars through this government's advertising programs.

The questions I asked through the Order Paper—and I will submit them again and pursue them as vigorously as I can to obtain the information—were not particularly complex and I regret if they were. I was asking what regulations or guidelines the government had with regard to the selection of its advertising agencies. I would think those guidelines are established and that they should be public knowledge. They should be, at least, for the advertising agencies that would like to do business with this government—regardless of their political persuasions, if they have any.

I would hope the Premier would have such guidelines.

**Hon. Mr. Davis:** Like the federal guidelines.

**Mr. Cunningham:** You talk about it; I don't see much change in your operation here. Our friends at Camp and Foster have been doing very well here for a long time.

**Hon. Mr. Davis:** Very good outfit.

**Mr. Cunningham:** Oh, sure they are. The government doesn't offer any tenders or public involvement for other advertising agencies at all—and there are hundreds of good ones, especially little ones. The Premier might consider putting a notice in Marketing magazine in Ontario to encourage and develop proposals from non-government-associated agencies and he might have a more open approach to dealing with advertising agencies across Ontario.

I would like to know what agencies the government is doing business with. I think the government would know that; I think that would be a simple matter because it sends them a lot of money. It sends them

money, I think, on a monthly basis which they are all, I am sure, doing very well by.

I wanted to know as well, and the Premier will pardon my cynicism, what government agencies are involved actively on the part of the Progressive Conservative Party. I am wondering to what end they might be wearing the same hat. It is not an unusual question; I do not think it is an unfair question.

I wanted to know the advertising expenditures from 1973 to the current year, year by year. For historical purposes, we should well know what we spent in 1973, and each year thereafter. I know it is difficult to keep track of it all when one has a \$15 billion budget, but I am sure we would know exactly how much has been spent. I would not think it would be too much difficulty for Mr. Campbell McDonald, or probably one of his junior assistants, and he probably has a number, to find out exactly what has been spent.

I wanted to know, frankly, what trends have developed within Ontario Hydro. I appreciate the Premier's view with regard to the autonomy of Ontario Hydro and its ability to run its own affairs, but I believe it is accountable to this Legislature and it is accountable to the government; at least, it should be. I would like to know to what end Hydro is involving itself in massive and expensive advertising programs.

I wanted to know, as well, the guidelines and regulations with regard to government advertising in Ontario. In my view, sir, the Premier and his government have moved from what would be advocacy advertising, or the informative type of advertising, to the promotion of what has to be considered to be a point of view, a point of view that is generally supportive of the government. Frankly, Mr. Chairman, if you want to get right down to it, it cannot be considered to be a proper expenditure of public moneys nor, in the democratic sense, can it be considered to be appropriate, by any means, in the context of fair play.

I offer the House an example. The Minister of Industry and Tourism, almost on a daily basis, is reaching the saturation point on commercial radio with his own program. From a strictly nonpartisan point of view, how would it be possible to develop the name awareness of an opposition candidate, be it a candidate for the nomination for the Progressive Conservative Party in St. Andrew-St. Patrick, should we be fortunate to see such a contest, or a Liberal candidate or an NDP candidate? I see some laughing over there. I do not know whether it is wishful thinking on the part of the Premier's staff,



or if that was a reflection on a cabinet point of view. I have heard that.

Be that as it may, the Minister of Industry and Tourism is on the radio as often as any commercial performer. He should be a member of the Association of Canadian Television and Radio Artists.

**Hon. Mr. Davis:** He may be.

**Mr. Cunningham:** He may well be. The Premier is right. I hope he is not getting a commission. That is a tremendous advantage for him. Maybe I am cynical, but he is on day after day. That is our friend Larry creating new jobs. "This is what we have done for you." I have some problem with the integrity of the program, and I have some very real difficulties with the idea of government ministers out personally involving themselves in what has to be an expensive self-aggrandizement at public expense.

I do not know whether they are anticipating the Premier's retirement and they are anxious to get themselves a little better known across the province, or they want to get themselves a little better known across St. Andrew-St. Patrick, or wherever, but it is a tremendously expensive program and I do not think it is in the public interest.

I want to conclude my remarks by asking the Premier if he will direct his staff to live up to the intent of the letter that he favoured your cabinet with. Let me quote, because the Minister without Portfolio (Mr. Pope) made comments here in the House on October 9. He quoted the Premier's letter and, basically, it said:

"Between now and the time freedom of information legislation is enacted, and the administrative apparatus for its operation is in place, there is a great deal we can do to give the policy of open government meaning and consistency. A step that can be taken in this interim period is to encourage open and responsive behaviour among public servants in their daily dealings with the public, particularly including members of the Legislative Assembly and representatives of the news media."

I realize these questions may take some time. I was not counting in getting the information within a week, or even two weeks, but I thought that possibly it would be within the ability of the government, if it was truly sincere with regard to what the Premier has said, and what really is in the public interest, that this information might have been forthcoming within three weeks or a month.

12:20 p.m.

I do not make a habit of putting a lot of questions on the Order Paper. Probably in the course of five years, I have only put on five, six or maybe seven—my memory may well be corrected; the Premier may want to correct it for me right now. I do not make a habit of it. Generally, I use the provision of the standing orders in a responsible way and in a manner that I would suggest is common to almost every member of the assembly. We do not abuse question period by asking highly technical questions or questions that require a lot of research. We certainly do not ask the Premier those questions because we know we have less than one hour once we are through asking the question.

**Hon. Mr. Davis:** They are always of urgent public importance.

**Mr. Cunningham:** Absolutely. I do not think it urgent and dire that we receive this information immediately but I suggest it would be in the public interest to table the information, say, within three weeks or as soon as the Premier possibly could. I cannot see any reason, in view of the fact that the questions to which I have referred are so straightforward, a matter of record, invariably a matter of budget record, why the information would not have been available within the confines of three weeks or one month.

I hope the Premier will have a discussion possibly, with our friend, Mr. McDonald, and his staff and we will see this information tabled as quickly as possible and thereafter we may see there is some credibility to what the Premier has said in the context of open government.

As I reflect upon the events we had earlier this year with the standing committee on public accounts pressuring the government to obtain the public opinion polls financed at public expense, I really see some improvements in the attitude of the tabling of that information.

**Hon. Mr. Davis:** Are you going to table your polls that were taken at some public expense?

**Mr. Cunningham:** Sir, the difference between your polls—

**Mr. S. Smith:** No public expense at all, not one cent.

**Mr. Cunningham:** That is exactly right. The difference between your polls and our polls, apart from great public expense—

**Hon. Mr. Davis:** You mean you did not use the government's—

**Mr. S. Smith:** It did not cost the government one cent.

**Hon. Mr. Davis:** Come on, Stuart, it is a pretty fine line.

**Mr. Cunningham:** We do not spend one tenth of what you do.

**Hon. Mr. Davis:** I can hear Jimmy Deeks, "This is your friendly Liberal pollster calling from Queen's Park."

**Mr. Cunningham:** Your light is on again.

**Mr. S. Smith:** Do not say it is a public expense if it is not a public expense; be accurate.

**Mr. Cunningham:** I will conclude my remarks because I know the Premier wants to get into his.

**Interjections.**

**Mr. Cassidy:** On a point of privilege, just before my colleague from Downsview has a word, in case there is any misinterpretation from the Premier or other members of his party, I want to make it clear from what I was saying before that I am proud to have four MPPs who are representative of the Italian community on the side of the New Democratic Party. They are, of course, representatives of all of the people in the ridings they represent.

**Mr. Rotenberg:** And I represent the Italians in my riding too.

**Mr. S. Smith:** Yes, you do; very badly, unfortunately.

**Interjections.**

**Mr. Chairman:** Order. The member for Downsview has been trying to get the floor since April.

**Mr. Di Santo:** Thank you, Mr. Chairman. I will be very brief. I understand that the more we go towards the election, the more every candidate in part will try to gain the ethnic vote because it is a crucial vote in many ridings; that is fine, but I think that should not be forgotten when the election has passed.

The remarks I would like to address to the Premier, through you, Mr. Chairman, are in relation to the patriation of the constitution. We accepted patriation and are also in favour of the approach taken by the federal government, as you know. But something disturbs me particularly as an "ethnic." One of the Liberal provisions in the language rights is that minority-language education rights be extended to the French and English, except for the immigrants who go to Quebec who are compelled to learn French. That is grossly unfair. If education becomes

a right, then it has to be universal. At the very moment when one tries to qualify and restrict a right, then it is no longer a right.

In the same context, I do not think this government has shown leadership in its own province in regard to what I think is a very important right—all residents should enjoy, that is, minority-language education rights in languages other than French or English. During the summer the constitutional committee discussed this issue at length. We understand all the implications, political and otherwise. The committee came out with a proposal I think should be accepted and implemented by the government. We have examples in many other jurisdictions.

We were provided with an extremely interesting package of literature from Massachusetts where bilingual education is provided wherever the numbers warrant. It has not created any problem at all. Actually, it helped to solve the many social problems among the low-income groups and among the recent immigrant families, especially those from Puerto Rico. It helped to solve the problems they were having in terms of education for immigrants or children of immigrants and other social problems such as juvenile delinquency.

I would also like to bring to the attention of the Premier that in Alberta where there is a Tory government, and I understand at this point he is not very fond of them, they have set up a Ukrainian school from grades one to 12. The high school is also Ukrainian. The children are taught in Ukrainian. It does not create any major problem in Alberta.

I know the Premier will tell me his government has made a step forward with the introduction of the heritage language program, in the typical, traditional way of the Conservative Party in Ontario, but that is not good enough. The program is not compulsory. It is not part of the curriculum and in many instances, even here in Metropolitan Toronto where we have the largest ethnic group, the largest group of immigrants, we have boards which resist the institution of heritage language programs.

Unless this government gives leadership—and at some point I hope the Premier understands that issue—if he introduces this program he will antagonize only a small number of rednecks, people who are there and will be there and will oppose any progressive program, but the majority of the people of Ontario will agree with him.

It is only fair at this point, while we are discussing the new constitution of Canada,



that this government give leadership and recognize the right of other groups to be instructed in their language without destroying the fabric of this country. It will actually help to build a stronger and better Canada.

12:30 p.m.

**Mr. McClellan:** Mr. Chairman, I will précis some of my concerns when the Minister of Community and Social Services (Mr. Norton) returns at the beginning of the week. Really, I think the Premier should take that gentleman aside and try to calm him down. He is close, I think, to having a nervous breakdown. He is going berserk in public and making the most strange and unseemly comments for a cabinet minister to make. The kinds of remarks he made yesterday with respect to that very pleasant gathering outside the front of the assembly are in the order of frenzied nonsense. The Premier should take his hard-working colleague aside and try to calm him down.

He was concerned about the risk to children at the demonstration. Was he concerned about the risk to the children, perhaps from Salome Bey singing, "He's got the whole world in his hands"? Was he concerned about the performers from the Sesame Street television program entertaining the children? He had threatened to call the children's aid society to make sure no child at the demonstration was in need of protection. Did he notice that the executive director of the Children's Aid Society of Metropolitan Toronto was there in the crowd demonstrating? I think he was carrying a placard. I won't say what the placard said. It was uncomplimentary to the Premier, I believe. That kind of thing is uncalled-for.

**Hon. Mr. Davis:** The placards were uncalled-for?

**Mr. McClellan:** No. The placards were obviously essential. Really though, I think it is regrettable when a minister who has the power of enforcing very tough legislation and the power of the purse over day care programs in the province makes those kinds of threatening statements because some people are gathering here who happen not to agree with his political views. It is totally uncalled-for to make those kinds of threats and use that kind of abusive language against members of the public who come down to Queen's Park to redress their grievances, whatever their age. I will challenge anybody on that side to say that any child who was at that demonstration yesterday had anything other than a good time. I will pursue that directly

with the minister, but I wanted to raise it to the Premier and to hope that he will try to calm his increasingly frenzied minister down.

One of the reasons perhaps that the Minister for Community and Social Services is so increasingly out of control is the fact that his government is making it patently impossible for him to fulfil his responsibilities. Let me refer simply to one instance, because it is something I feel very deeply about. When the government brought in the new tax grant proposal which replaced the previous senior citizens' tax credit system, one group of people was particularly hard hit. I am not for the time being talking about seniors; I am talking about the disabled, for example, who live in charitable institutions.

They were previously eligible for benefits under the Ontario tax credit system. They are no longer eligible for benefits under the Ontario tax grant system. In my own constituency the residents of Bellwoods Park House, for example, were receiving on average \$248 a year under the Ontario tax credit program. These benefits have been stripped away. So the only discretionary income these folks have, and others in the same group, is the \$61-a-month comfort allowance.

I do not think it is an act of exceptional generosity to compensate for the loss of the tax credit. I raised this in estimates with the Minister of Community and Social Services. He did not disagree with me. In fact, I judged from the degree of embarrassment he showed on the issue that he had tried to take this to his cabinet and he had made representations to the cabinet not to penalize the disabled when the new tax grant system was introduced, but to adjust the comfort allowance to compensate for any loss under the new program. He did not say this, but I know the minister well, and I think I could tell from the expression on his face and comments he made that he had tried to take it to cabinet and cabinet had turned him down.

Let me simply ask the Premier to have a second look at that. I don't think we are talking about a large amount of expenditure, I don't think there are that many people who would qualify under the program. But surely simple decency would require this government not to strip away any of the relatively small amount of discretionary income that the physically handicapped have available to them. So I would ask the Premier and the Provincial Secretary for Social Development, who is here in the House, to have another look at that and see whether it isn't possible to come up with an appropriate increase in

the comfort allowance for the disabled who are living in residential facilities.

**The Deputy Chairman:** I think we should be looking at both votes 201 and 301 at this time.

**Hon. Mr. Davis:** Mr. Chairman, I will sum up very briefly. Perhaps I may not even take until one o'clock, and if we are finished at five to one we might presume that it is one o'clock. But I can also be provoked into going to 1:10, if necessary.

I regret—I am sure he will be back very shortly—the leader of the New Democratic Party isn't here to—

**Mr. McClellan:** In one minute he will be back.

**Hon. Mr. Davis:** One minute? I guess I can sort of ramble around for a minute. I would like to take the observations in reverse order and leave my comments on the suggestions from the leader of the official opposition until the conclusion of my remarks.

In the interim, I might say to the member for Downsview, who has left—I know to look after public responsibilities—I made a note of what he said. I would say to the member for Bellwoods, I made a note of what he too said. I have made a note of what the member for Magna Carta said with respect to the question of the yards, and I have a copy of his letter here. We are pursuing it, of course, as I told him some months ago that we would.

I am still waiting. It is now 30 seconds.

**Mr. R. F. Johnston:** Two minutes.

**Hon. Mr. Davis:** Two minutes. Listen let's get started because I know that the members will convey to him the remarks that I have to offer, the overwhelming logic of the things I am going to say. I know they will be so totally convinced that they will be able to persuade their leader to reassess some of the things he said here this morning.

I don't intend to deal at any length with the discussions that have already taken place with respect to the constitutional matters. The leader of the New Democratic Party did put on the record his point of view, his support for some things, his differences on some matters, which I still think were somewhat different from the things said by the member for Riverdale. I really do ask the members opposite to see if there aren't modest contradictions and inconsistencies.

I also understand his desire to poke a little fun because my point of view isn't

shared totally by the leader of our national party. But as I pointed out in my interruptions, which I shouldn't have made, I really do have to emphasize that there is not total unanimity among the New Democratic Party family of Canada. I think it is fair to state there is certainly less than unanimity, that there are some disagreements, and that is understandable. I don't criticize it, I don't quarrel with it. But please, people in glass houses really shouldn't throw stones, and I think that—

**Mr. Warner:** They shouldn't take baths, either.

**Hon. Mr. Davis:** Of course they shouldn't. I agree with that.

The leader of the New Democratic Party, in his attempt to indicate to his constituents how active he has been in Ottawa Centre, really spent a disproportionate amount of his time explaining his involvement with the courthouse. I understand that, Mr. Chairman. He is the member who represents a part of that area and I understand full well why he would lead off for some 20 minutes on the Ottawa courthouse, before the constitution, before the economic situation, before the legislation that was debated yesterday afternoon.

I might even talk now for the next 20 minutes about the great riding of Brampton, that fine place—growing community, stability, economic opportunities, all of those things. We don't have a new courthouse to debate.

**Mr. McClellan:** Labour unrest.

**Hon. Mr. Davis:** We always have those things that are there to be solved. We do our best to solve them, and we have had some measure of success.

But dealing with some of the economic issues, because the leader of the New Democratic Party—and I think he didn't really mean to say it—said he didn't want to be deceived by, or that he had been deceived by, the Premier of this province; was that not the word he used? I really don't think he meant to use it. He said he hoped he wouldn't be disappointed today, and I want the members to tell him I hope he isn't disappointed. We do have a different approach to some of these issues.

12:40 p.m.

Interjection.

**Hon. Mr. Davis:** I listened to you very politely, attentively. I even nodded my head at one or two points you made. You don't



know which ones because you were so taken up in your own rhetoric you weren't paying any attention to anyone else.

**Mr. Warner:** I thought you were falling asleep.

**Hon. Mr. Davis:** Well, could you blame me? I want to make it abundantly clear, the leader of the New Democratic Party attempted to paint a scenario in his observations because we did not support the private bill that was introduced, that philosophically we were opposed to full employment. That is totally, utterly ridiculous in any scenario he might want to paint.

This government has done more to seek employment, we have had a better record than any competitive jurisdiction and the figures are here to prove it. I will go through the whole litany for the members again if they want. We look at the situation today. We look at the economic problems here in this province and I listen to the leader of the Liberal Party and I say to myself are they living in, do they travel in the same province I know? Maybe they don't travel abroad quite as often as I do although they do get to some other jurisdictions.

I have been to other parts of the world. I have been to other parts of North America. I listen to those two gentlemen opposite and I say to myself, are they doing anyone a great service by the totally negative approach they take, even the leader of the Liberal Party? I have to say to Dr. Negative, he is one of the most negative people in public life at this moment I have seen.

Does the member for Hamilton West know what he is saying? I have some of his quotes. I don't mind his being critical of me. He is always so subtle about it. He is very gentle. He is very kind. He is very tolerant.

Here's a great one: "Ontario has become the sick old man of Canada. We are led by a small-minded parochial individual." I know those are priceless phrases but here's the one that intrigued me: "We continue to have the crummiest manufacturing sector in the western world." That's the kind of thing.

I am trying to offer advice, as I do every year in my estimates, and I sense the Leader of the Opposition really has accepted some of my advice. He wasn't quite as personal. Leadership wasn't the main focus. That wasn't going to be the main criterion in determining the next election. He stayed away from that and I know why. I happen to know what his polls revealed to him, the polls that were not taken at public expense but using government lines. Can you hear the conver-

sation taking place, Mr. Chairman? "This is Mr. Deeks. I am calling from Queen's Park. I just happen to work for the Liberal Party of Ontario and I wanted to assess up here in Thunder Bay what your view is on these certain issues. If there were an election tomorrow—" Did Jimmy do the phone calls for the member, or how was it done? I am not being critical. I am just having a little fun. I can picture it all happening.

But what the Leader of the Opposition is saying, and indirectly in some respects so was the leader of the New Democratic Party, when he says we continue to have the crummiest manufacturing sector in the western world—it is time to be critical of the government and yes, we have a responsibility; it is our task to provide certain incentives, to provide a climate—and I gather he has been making those statements all over Ontario, he is saying to the workers and the people at Stelco that they don't know what they are doing, that they are running a crummy establishment.

I happen to believe that Stelco, Dofasco and many industries in this province are run by competent people with qualified work forces who are competing on an international basis without any hesitation, and this is true of so many of the manufacturing sectors.

**Mr. S. Smith:** Not enough of them.

**Hon. Mr. Davis:** Oh, come on. All right, fine. Let's start enumerating. Why doesn't the member go around this province talking to those individual manufacturers and the workers and saying, "You people are doing a a crummy job"? Why doesn't he have the intestinal fortitude to do that? He makes these overwhelming generalized statements. He is doing himself no service. He is doing the people of this province no service in making that overall condemnation of the men and women who work in the manufacturing sector in this province, because the reality is they can compete, the reality is they do a good job.

**Mr. S. Smith:** An \$18 billion deficit in international manufacturing and trade.

**Hon. Mr. Davis:** Oh, come on. You play with figures.

Interjections.

**Mr. S. Smith:** The branch plant economy is dragging this country down and you know it.

**Hon. Mr. Davis:** That is utter and total nonsense and you know it. Don't glance up into the press gallery to see if any of your friends are watching.

**The Deputy Chairman:** I think the members can follow it, but Hansard has a hard time getting it, when more than one member is speaking at the same time.

**Hon. Mr. Davis:** Yes they do. I apologize to Hansard because the Leader of the Opposition—

**Mr. S. Smith:** Would you yield the floor for a moment?

**Hon. Mr. Davis:** You made your speech, it's my turn. Your pathetic performance is—

**Mr. S. Smith:** You have looked on while the manufacturing sector has deteriorated very badly.

**Hon. Mr. Davis:** Mr. Chairman, I just challenge the Leader of the Opposition to make those statements right in the plants, right to the workers. You may have no feeling for them—

**Mr. S. Smith:** There is nothing wrong with the workers. It's the branch plant management.

**Hon. Mr. Davis:** —you may think they are totally incompetent. We do not run the manufacturing sector in this province.

**Mr. S. Smith:** Are you going to give me the floor a moment?

**Hon. Mr. Davis:** No.

**Mr. S. Smith:** You do not want to yield, you do not want to—

**Hon. Mr. Davis:** No. I just want to get finished here.

**Mr. S. Smith:** There is nothing wrong with the workers at all.

**Hon. Mr. Davis:** No, and there is nothing wrong with the management. The only thing that is wrong, of course, is government. You are selling them short.

**Mr. S. Smith:** I am not selling it short. They have a truncated purpose—

**Hon. Mr. Davis:** Truncated purpose, what utter hogwash. You use the \$18 billion trade deficit figure, sure, that is one figure. Do you have the fabricated trade figures? Do you know what they offset in terms of the total manufactured goods? Are you telling the people of Ontario that \$18 billion is the national figure? Are you telling them that now?

**Mr. S. Smith:** Yes, I am.

**Hon. Mr. Davis:** Of course not. You put it in the provincial context.

**Mr. S. Smith:** On a point of privilege, Mr. Chairman. I made it very plain—

**Hon. Mr. Davis:** I know how plain you made it.

**Mr. S. Smith:** I made it very plain that the \$18 billion deficit in international trade and manufactured end products is a national figure, and I make it very plain that it is offset by certain other figures whereby the balance of trade eventually comes almost into balance and sometimes even into better than balance. I have made that very plain, but I also make it plain that our role in this country is by and large as the industrial heartland of this nation, and if there is such a large discrepancy and it gets larger year by year, such a large deficit in international trade terms in manufactured end products, that is a bad performance by Ontario. I say it has nothing to do with the workers and nothing to do with the Canadian-owned industries. It has to do with our branch plant manufacturing sector which is largely not doing the research and you know it is not, and is largely, with certain exceptions, in fact—

**Mr. Rotenberg:** You have made your point of privilege.

**Mr. S. Smith:** You do not like to hear it, do you, David? Poor fellow. Just listen to the truth from time to time.

**Hon. Mr. Gregory:** You are an utter stranger to the truth.

**Mr. S. Smith:** Your function is not to compete internationally and that is why they are not doing so.

**The Deputy Chairman:** I have been trying to listen to the point of privilege and I do not think—

**Hon. Mr. Davis:** I just quote from London, Ontario, September 8, and if the quotation is wrong, fine, but I tell you I know how you deliver the—I don't know how you deliver them because I am not there when you do.

**Mr. S. Smith:** Read the quotation and I will tell you if it is right or wrong.

**Hon. Mr. Davis:** The quote is here and it may be wrong, "The province now has an international trade deficit in the manufacturing sector of \$18 billion."

**Mr. S. Smith:** That is a wrong quote. The reporters don't understand what I said.

**Hon. Mr. Davis:** In other words, what you are saying is the reporters do not understand you. I have got news for you, I do not understand you some days either, but I come back to this point because I think it is very fundamental and it really relates to some of the things that you have been saying on behalf of your party around the province.



No one is saying the economy of this province is as good as it should be at this moment, but I—

**Mr. S. Smith:** Larry Grossman said it first.

**Hon. Mr. Davis:** No one is saying it. He is not saying that. It is going to improve. It has to improve, but do not go around saying that we are dragging down the national economy. You people talk about the multinationals, you talk about the United Auto Workers, you talk about all of these things, and you compare our performance in terms of those competing jurisdictions. Do not tell us all about Sweden, West Germany or Japan. Take a look at the states of Michigan, Ohio, Pennsylvania and New York, those states that really combine in an economic sense to be our real competition in terms of our economic performance. Look at the figures there. Look at what we have accomplished and look what is happening in those jurisdictions.

**Mr. S. Smith:** Look in the parking lot and you will see Japan is our competition.

**Hon. Mr. Davis:** Sure we know it is our competition, but I will tell you something else. Look at the 10-year record, look at the gross national product development in Japan compared to ours. I will tell you something else, I would be very careful if I were you wandering around the province saying that we should impose here the kind of social structure in the order that they have in Japan.

**Mr. S. Smith:** I have never said that.

**Hon. Mr. Davis:** You have been making some very interesting comparisons.

**Mr. S. Smith:** I am saying that we should use their industrial policies.

**Hon. Mr. Davis:** Sure, their industrial policy. All right, you relate it to me. I happen to know what it is and if that is what you want to have here, if you want to have massive government involvement in terms of dictating exactly some of the activities of the private sector, fine, but I have to tell you this, they are not opposed to the multinationals. Put that in your pipe and smoke it. In fact, they are one of the greatest multinationals in terms of trade and industrial development. You always try to have it both ways. I do not say that unkindly, but it is true.

12:50 p.m.

You talk about research and development. This government has been promoting more

research and development. We have pressured the federal government and it is beginning to pay off. You talk about high technology. I have to tell the Leader of the Opposition in a very friendly fashion, it is great to come into this House and talk about high technology and research and development when you have been—along with the member who sits behind you, one seat to the other direction—so totally negative on one of the truly Canadian and Ontario developments in technology in the transportation field. Certainly you have been supportive. You are just delighted it is going into Hamilton.

**Mr. S. Smith:** That is massive government involvement. Make up your mind. That is massive government ownership let alone involvement.

**Hon. Mr. Davis:** But you are having it both ways. You are negative about it.

I am going to make this commitment here in the House today. When that new transit system opens in the city of Hamilton and when the Leader of the Opposition is back on academic staff at McMaster, I am personally going to invite him to attend that opening and share with the rest of us one of the great days for the city of Hamilton and the surrounding communities.

You go around knocking work done by Canadians. The business community and the labour force are beginning to understand some of the things you are saying. They are beginning to understand you are being critical of them. They understand you are, in fact, being critical of the working men and women of this province, the managers in this province. Go up to Kitchener.

We share one or two mutual friends—your friend on my right and I, and I will not even name them—who happen to be in the manufacturing sector. They are even in his constituency. I have to tell you, they do not like what you have been saying. They may still vote for him unfortunately, but they do not like what you have been saying because it is a reflection on their capacity.

I happen to have a greater measure of confidence in the people of this province in terms of our ability to compete. I think we have done darn well and we are going to do better but do not twist it.

**Mr. Cunningham:** You have not balanced the budget in 10 years.

**Hon. Mr. Davis:** We have not balanced the budget in 10 years? Your leader says things are so bad. I defy any of you to look objectively at any other jurisdiction of a com-

parable nature and tell me they made greater progress in economic development, their employment figures are any better, their standard of living is any better, their opportunities are any better. You will not find it. And do not tell me about Japan.

**Mr. S. Smith:** West Germany.

**Hon. Mr. Davis:** They have a certain luxury in West Germany and you might even endorse this sort of policy. When they run into economic difficulty, when they run into a surplus in the work force, what happens? You know and I know that a goodly number of the work force return to other nations of the world. You know that has happened.

**Mr. Cunningham:** That is what Alberta is going to do to you.

**Hon. Mr. Davis:** Don't be childish. This province has assimilated people from all countries and sister provinces over the years. Without question, it has one of the highest standards of living.

**Mr. S. Smith:** We have shipped a number of our young workers out to Alberta. Our figures would be worse if they didn't go.

**Hon. Mr. Davis:** Certainly there are some young people out in Alberta. You talk about me being parochial. Don't you be so parochial. Why shouldn't a young Ontarian go to Alberta to seek an opportunity? Certainly they should.

**Mr. S. Smith:** Then why shouldn't somebody leave West Germany and go somewhere else?

**Hon. Mr. Davis:** You know the point I am making. West Germany is a country. Canada is a country. Ontario is part of Canada. Don't talk to me about being parochial, you are so parochial in economic terms you really don't know where it is at. You go to various parts of the province, you talk about the multinationals—

**Mr. S. Smith:** You are worried, aren't you?

**Hon. Mr. Davis:** No, I am not worried at all. I can live with my own conscience. I heard your observations about polls when you made them in Ottawa. I think I have a better knowledge of what is in your polls. Who is doing them, somebody from McMaster? I have a better understanding and I happen to know why leadership has not become a matter of debate in my estimates this year like last year. Why don't you tell your friends in the party how far you are running behind in the Liberal Party of Ontario? Why don't you level with them? You try and con the press into thinking how much

progress you are are making. I know how much progress you are making.

**Mr. S. Smith:** I have told them you are running well ahead in that regard, but your party is now behind.

**Hon. Mr. Davis:** Oh come on, that is utter nonsense and you know it.

**Mr. S. Smith:** We will wait and see.

**Hon. Mr. Davis:** But of course we will wait and see, but you know—

**Mr. Cunningham:** Rotenberg is dragging you down.

**Hon. Mr. Davis:** Do you know what you are doing for your party? I won't say it. I was really coming back to the Leader of the Opposition at the end instead of at the beginning.

**Mr. S. Smith:** You are listening for a change.

**Hon. Mr. Davis:** Listen, I am one of the best listeners in public life I know; I really am.

**Mr. S. Smith:** If you could hear as well, we would all be better off.

**Hon. Mr. Davis:** I can hear. I listen, I hear and believe it or not I understand. Those are three attributes you might, on some occasions, follow. The last one I never expect you to understand and that is a bit of humility or modesty. That will never be a characteristic, and I don't say that is all bad.

The leader of the New Democratic Party made some references to where we stand on certain issues. You are asking me, and I am saying this to some of your colleagues, that you had been deceived before. I really don't think you meant to say that, did you?

**Mr. Cassidy:** Say what?

**Hon. Mr. Davis:** Say deceived, that you had been deceived before and you didn't want to be disappointed today?

**Mr. Cassidy:** I have been here for nine years and my capacity for hope remains, but I want to say, Mr. Premier, that you dash it constantly.

**Hon. Mr. Davis:** If I dash some of your expectations, then I feel that in some respects I really am doing the job relatively well. But I don't say that about all of your expectations.

**Mr. Cassidy:** Or the expectations of a vast number of people in Ontario.

**Mr. Rotenberg:** On a point of order, Mr. Chairman—

**The Deputy Chairman:** I think we are all enjoying this this morning.



**Hon. Mr. Davis:** Mr. Chairman, I wanted to get around to one of the observations made by the leader of the New Democratic Party. I know the fun and games you like to have over there, but you are very vulnerable. You really shouldn't, particularly in his absence, start to attack the Treasurer of Ontario, saying, "Where is this strong voice?" I can recall you and so many others saying that Treasury should have some of its activities performed by other ministries. Intergovernmental Affairs has assumed some, and Industry and Tourism others.

Be very cautious, I say to the member for Ottawa Centre, about trying to suggest that the Treasurer is less than adequate for his responsibilities. I have been associated with a lot of Treasurers and they have been very competent people, but none has been any more competent than the present Treasurer of Ontario. When you start questioning his talents—

**Mr. S. Smith:** Dreams and visions—

**Hon. Mr. Davis:** A little vision is good for everybody.

**Mr. S. Smith:** Thirty-seven million dollars' worth of dreams.

**Hon. Mr. Davis:** That is all right; a little vision is good for everybody.

**Mr. S. Smith:** It is a nightmare, not a dream.

**Mr. Cassidy:** When Frank Miller speaks, he speaks with the voice of William Davis.

**Hon. Mr. Davis:** I always speak for myself.

**Mr. Cassidy:** So you endorse Miller but not what he says.

**Hon. Mr. Davis:** I certainly endorse what he says, but I always speak for myself, like the leader of the New Democratic Party. However, I am never sure whether he is speaking for himself or whether he is dictated to by his annual meeting where the party faithful say, "Mr. Cassidy, these are the things you will say; these are the policies you will follow; this is what hour you will get up in the morning; this is when you will go to bed at night"—a truly democratic system of party politics where their leader is told directly what to do and you better not think for yourself, act for yourself, or—

**Mr. McClellan:** As opposed to your trained seals.

**Hon. Mr. Davis:** That is a slight exaggeration.

**Mr. Cassidy:** Didn't you go for four years without an annual meeting?

**Hon. Mr. Davis:** We have our annual meetings every two years. You will not get me saying we have it every four years.

**Mr. S. Smith:** They eliminate teachers' strikes and threaten never to meet them again.

**Hon. Mr. Davis:** I never said I wouldn't meet them again; I don't act in that sort of way. I will meet anybody, anywhere, any time, with one or two exceptions.

Mr. Chairman, I was going through some of the economic—

**Mr. Cassidy:** The only one that exceeds your kind of party democracy is Mrs. Thatcher.

**Hon. Mr. Davis:** I don't know, Mr. Chairman, what Margaret Thatcher's concepts are. I can only say I have enjoyed a very pleasant relationship with the members of the Progressive Conservative Party of this province now for some 21 years and, tomorrow, 18 years as a member of the executive council of this province. They have been very supportive of me. I am delighted, and I would like to put it on the record.

**Mr. S. Smith:** They will buy you a nice retirement present in February.

**Hon. Mr. Davis:** Oh, of course. The Leader of the Opposition, Mr. Chairman, would love to see me retire—I understand that. Actually I wasn't feeling well the first couple of days of the week, but these past two days I haven't felt better in a long time. I like the stimulation of the House; I like the enlightened provocation that comes from across there, knowing full well they do not believe half of the things they feel they have to say, some of which I heard here this morning.

1 p.m.

I will deal with one or two other issues that were raised. We are talking about job security and plant closings. We are concerned. We do not know that, in fact, one can legislate solutions to all of these problems. There is a far better and long-term answer, and I happen to think and know that some of the member's colleagues—not here in the House, but elsewhere—share this point of view. The best way to resolve the issue is to have the economy moving ahead so that the issue in itself disappears. That is the best answer. There is no question about it.

It is not a philosophical hangup. It is not a matter of ideology with respect to severance pay or no severance pay. It is there in a number of contracts. It is there as a matter of procedure in a number of organizations. I said this when Mr. White was in with his group last summer. I said it as it related to pensions. I think we can solve a good part of the problem, not totally because it is very complicated. But it is a question of how you do this in a way that does not deteriorate, or make more difficult, the investment climate and the economic climate here in Ontario.

I am prepared to be a leader in the sense of having provincial legislation. That is not the inhibiting factor. But what we have to be very careful about, and I think what the committee has to assess, is that we do not put ourselves in a position where in the longer term we are doing the working men and women of this province a disservice. I think we have to approach it with very real care and a great deal of logic.

On the question of the amount of notice, tell me a province in Canada that has a longer notice period? Tell me of any state of the union? In terms of so many of our statutes, we have a degree of worker protection, not perfection but, nonetheless, comparable to any place in North America, which is by and large the area where we have to compete economically.

I know there are four minutes left to go, and I also would like to get away at one o'clock.

**Mr. Cunningham:** On a point of order, there is only one minute left.

**Hon. Mr. Davis:** No, there are four minutes in the estimates and one minute on the clock.

I know you are anxious to get back into your riding.

**Mr. Cunningham:** Then respond to my questions.

**Hon. Mr. Davis:** Listen, I listened to you very pleasantly this morning. You did not hear me interrupt you. I gave you my response in question period. If you want to reiterate all the things you said here you will get the same response. You will get the information as soon as we can give it to you.

I want to thank the members opposite for their constructive and helpful advice in the estimates of the Premier's office and the cabinet office. I will say in conclusion, Mr. Chairman, sure, there is give and take here in the political process. I understand that, I enjoy it, but please just remember one thing, when you are as critical as you are of the economy of this province please understand that government has a responsibility. I never minimize it. I will never try to evade it. But the reality is that the economic future of this province depends very directly on the working men and women, the people in management, the risk takers, the entrepreneurs, the corporations. That is really where it is at.

You do no one a great service by suggesting that they happen to be a part of, how did you phrase it, the most underrated, the most whatever it was, crummiest manufacturing sector in the western world. It is not true, it is not fair, it is not factual, and I know that over the weekend the Leader of the Opposition will want to reassess it and perhaps explain it in some other fashion.

Votes 201 and 301 agreed to.

On motion by Hon. Mr. Wells, the committee of supply reported certain resolutions.

The House adjourned at 1:04 p.m.

## ERRATUM

No.	Page	Column	Line	Should read:
94	3602	1	23	Provincial Secretary for Resources Development (Mr. Brunelle), when he was Minister of Lands and Forests,



## APPENDIX

(See page 3729)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

## SOLIDIFICATION PLANT

**275. Mr. Isaacs:** Will the Minister of the Environment provide copies of all agreements and correspondence between himself or his staff on behalf of the ministry and the proponent or co-proponents of the solidification plan which is proposed for the Walker Brothers quarry site in St. Catharines? (Tabled October 9, 1980.)

See sessional paper 252.

## SULPHUR DIOXIDE EMISSIONS

**302. Mr. Isaacs:** Will the Minister of the Environment provide information on the annual amount of sulphur dioxide emissions from each of the 20 largest sulphur dioxide emission sources in the United States? (Tabled October 10, 1980.)

See sessional paper 253.

## WASTE PAPER

**303. Mr. Isaacs:** What is the total Ontario production of waste newsprint? What is the total Ontario production of other waste paper? (Tabled October 10, 1980.)

**304. Mr. Isaacs:** How many municipalities have waste paper recycling programs in operation? What is the general nature of those programs? (Tabled October 10, 1980.)

**305. Mr. Isaacs:** What is the percentage of total Ontario production of waste newsprint that is currently recycled? What is the percentage of total Ontario production of other waste papers that is currently recycled? (Tabled October 10, 1980.)

**Hon. Mr. Parrott:** 303. The total Ontario production of waste newsprint is approxi-

mately 350,000 tons, recognizing that 80 per cent of Ontario's newsprint production is exported. The two other major quantities of waste paper generated in Ontario are 560,000 tons of corrugated container grades and 160,000 tons of fine grades.

**304.** Waste newspaper recovery programs are in operation in approximately 45 municipalities, with this figure not including intermittent activity such as collections by local service clubs, Scouts Canada groups, et cetera.

Available information indicates the majority of these programs (60 per cent) involve curbside collection of newspaper from households on a regular basis. The remaining programs use depots for accepting newspapers at specific times.

Other materials such as glass and cans are also recovered in some programs. There is a gradual increase in the recovery of fine paper, with most recovery programs being patterned after the province's Project Paper Recycle.

**305.** At present, about 23 per cent of the waste news that is generated in Ontario is recovered, with the two major uses being paper products and cellulose fibre insulation. Similarly, 20 per cent of corrugated container grades are recovered and about 25 per cent of the fine grades of waste paper are also recovered. A significant portion of the fine paper recovery is effected by recovery of pre-consumer rather than post-consumer waste.

A newsprint deinking mill is being constructed by the Ontario Paper Company in Thorold. This mill will require about 100,000 tons of old newspapers per year which will stabilize the market and encourage the development of source separation schemes.

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Gregory, Hon. M. E. C.; Minister without Portfolio (Mississauga East PC)  
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# **Legislature of Ontario Debates**

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Monday, October 27, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

MONDAY, OCTOBER 27, 1980

The House met at 2:04 p.m.

Prayers.

## WIRETAPPING MEMBERS' PHONES

**Mr. Speaker:** On Friday, in my absence, the member for Riverdale (Mr. Renwick) raised the matter of correspondence, which I have received from the Solicitor General of Canada, concerning wiretapping. I am tabling this letter along with my reply. Members should know that copies have been sent to the House leaders, the Attorney General (Mr. McMurtry), and the chairman of the procedural affairs committee. Through an oversight, these copies were not forwarded until today, for which I apologize, but they have been tabled for the edification of any member who might wish to peruse that correspondence between the Solicitor General of Canada and myself.

## TABLING BACKGROUND INFORMATION

**Mr. Speaker:** Last Thursday, the member for Nickel Belt (Mr. Laughren) drew to my attention the fact that the Minister of Industry and Tourism had not complied with the provisions of standing order 26(c), which is as follows: "After any policy statement the minister shall table a compendium of background information."

In checking the records of the House, I find that no compendium was tabled, and I now invite the Minister of Industry and Tourism to do so at the earliest possible moment.

**Hon. Mr. Grossman:** Mr. Speaker, I will try to do that before question period is over today.

## REFERENCE IN REPORT

**Mr. Speaker:** The member for Kent-Elgin (Mr. McGuigan) rose on a point of privilege concerning the contents of the Royal Commission of Inquiry into Discounting and Allowances in the Food Industry in Ontario. The honourable member objects to the commissioner's use of the word "allegation" and

the failure of the commission to call his son and a store manager as witnesses.

The proceedings of the commission of inquiry are in no way insulting to the member in the sense that his conduct as a member of this House is called into question. It does not appear to affect in any way his position as a member of this Legislature and is therefore not a point of privilege.

## ALLOCATION OF QUESTIONS

**Mr. Speaker:** I would also like to take advantage of the opportunity to remind all members of the points of order raised by the member for Downsview (Mr. Di Santo) and the member for Renfrew North (Mr. Conway) which I heard last week concerning the continuing inability of members to gain the floor for the purposes of asking oral questions.

In checking the records and listening to the tapes I find that we have indeed spent an inordinate amount of time on questions from party leaders, in supplementary questions, and in very lengthy responses. It is not unreasonable that a question be posed without preamble and, similarly, that an answer be given with equal precision.

Members ought not to assume they will be granted a supplementary question, and I will make every effort to ensure that both sides of the House adhere to this policy. It is not for editorializing or giving something as a statement of fact when, indeed, it is just the opinion of the member posing the question. In essence of fairness, it is the responsibility of the chair to see that all members have ample opportunity to participate to the greatest extent possible in the question period. I would like to remind all honourable members of that fact.

## DEATH OF JUDY LaMARSH

**Hon. Mr. Davis:** Mr. Speaker, I rise to express the sympathies and the sadness of the government and people on the passing of Judy LaMarsh. Judy LaMarsh was a political personality of great strength, presence and forcefulness and, on occasion, of some controversy, as are most politicians.

I will remember her as a very committed Canadian who felt deeply about her country and its people. I am very thankful that our paths crossed on a number of occasions, and I am proud to have been among the many who considered themselves her friend. Miss LaMarsh travelled far and wide but she always considered Niagara Falls, Ontario, her home and spoke fondly of her friends and supporters who today join Canadians across this nation in mourning her loss.

In sickness, as in periods of health, Miss LaMarsh exhibited great courage. In public, as in private life, she will be remembered for her warmth, sincerity and her absolute devotion and loyalty to the causes in which she believed. Judy LaMarsh never hesitated to speak her mind and one always knew where she stood on any given issue. Today, Canada has lost a great Canadian.

2:10 p.m.

**Mr. S. Smith:** Mr. Speaker, I know that the member for Niagara Falls (Mr. Kerrio) will want to say a few words to the House on this occasion but, on behalf of the official opposition, I certainly want to associate all of us here with the remarks made by the Premier. All of us are saddened by the death of Miss LaMarsh who, I think, would be described as one of the most colourful and dedicated of all Canadians in our generation.

I remember hearing Miss LaMarsh for the first time. She had just entered politics. In fact, just before she decided to run, she was brought to a riding association as a brilliant lawyer. No sooner had I heard her than I came away with the feeling that, if she ever were to run, she would make a tremendous impact on Canadian politics. She certainly did so. She was witty, a fearless commentator on all the issues of the day.

Although I think her death was expected for some time, none the less we all feel bereaved, and I for one greatly admire the courage she showed during the latter days of her life. She has contributed a great deal to this country. All of us are very much in her debt. We are very lucky to have had Judy LaMarsh, a very great Canadian, with us, and we are saddened by her death.

**Mr. Cassidy:** Mr. Speaker, I would like to join in the tributes being paid to Judy LaMarsh. Judy LaMarsh was not only an ardent member of her party who played an enormous role in the rebuilding of the Liberal Party of Canada after the dark days for that party from 1958 to 1962, but also a distinguished Canadian. She, as Minister of National Health and Welfare during the mid-

1960s, was very much instrumental in great reforms of that time which I think have benefited all of us in Canada, including the Canada pension plan, medicare and the Canada assistance plan, all parts of a reformist drive which is not always present within the Liberal Party of Canada. She also helped us to identify ourselves to ourselves.

I can remember being on the steps of the Parliament Buildings in Ottawa on New Year's Eve, 1966 to 1967, at the inauguration of centennial year, when Judy LaMarsh was the minister responsible for the centennial celebrations. That was the first kind of time when a lot of people came together and began to get a feeling for what this country was really capable of. At the end of the speeches, the ceremonies and so on, for the first time in my knowledge, there was an outburst of fireworks from behind the Parliament Buildings that expressed that sense of joy and the wonder we all felt in Canada at that time and we all experienced later that year at Expo 1967.

Judy LaMarsh was at the time a rarity in politics, a woman who rose to the highest levels. She has been a distinguished representative of her sex, her party and of our country. We all mourn her death.

**Mr. Kerrio:** Mr. Speaker, I join with the leaders of the three parties in paying tribute to a dear friend who is now coming back home. She even planned this part of her life. Her friends will attest to the fact that those plans were indeed made by Judy.

In Niagara Falls, Judy LaMarsh has always been, and no doubt always will be, "Our Judy." Other people think of this remarkable woman in terms of her public life as a colourful Secretary of State during Canada's centennial year; as a first-class Minister of National Health and Welfare; as a capable, brilliant, persuasive and provocative politician; and as an articulate, warm-hearted and fascinating public speaker and radio personality. To us, the people of Niagara Falls, especially those of us who were fortunate enough to know her well, she was all these things and much, much more.

Judy was our friend and neighbour. She was our pride and joy. Although she travelled far and wide, achieving considerable fame throughout Canada and even beyond the borders of this country, she never forgot her roots. She could always be relied upon to be true to her principles, whatever the possible consequences. Her courage was enormous, her endurance and energy awe-inspiring. True to her beliefs, she did it her way.



## ORAL QUESTIONS

## LIQUID INDUSTRIAL WASTE

**Mr. S. Smith:** Mr. Speaker, I have a question for the Minister of the Environment. According to the document *Proposals for Limited-Term Liquid Industrial Waste Solidification Facilities*, submitted by his ministry to the Environmental Assessment Board in May 1980, the ministry recommended that Walker Brothers and the ministry become coproponents for a new solidification project in Ontario. According to this document, Walker Brothers has experience in liquid industrial waste management.

Could the minister explain how that could be, inasmuch as Walker Brothers has never been licensed to handle liquid industrial waste? Would the minister like to explain how that document came to refer to them as having experience? Did the people who made up this document know that, contrary to their certificate of approval, Walker Brothers has been handling tons of poisonous liquid industrial waste with virtually no control at all, totally against the certificate which the ministry has given them?

**Hon. Mr. Parrott:** Mr. Speaker, I think Walker Brothers has been handling non-hazardous liquid materials, and oily wastes were a part of its area of responsibility. They were using wastes that were not toxic; that is, road oils and those kinds of things. They were one of six or seven companies that made proposals to us on solidification. Their proposal was extremely important to us. In the final analysis we were looking at the quality of their proposal, and that is one of the major reasons why they were given the approval to proceed to an environmental assessment hearing on the concept of solidification.

They had an excellent proposal on the method itself. As the member probably knows, there are many different methods that are all somewhat similar but all somewhat different. They had one of the better proposals, and that is why they were made the coproponent.

**Mr. S. Smith:** The minister must have heard his own official say on W5 that Walker Brothers has never been licensed to handle so much as one gallon of liquid industrial waste. How is it that the ministry refers to them as people with experience in the matter? And—how prophetic it was—how is it the ministry allowed Walker Brothers to take in 34 metric tons of sludge, including toxic materials such as chromium and lead, completely in violation of the certificate of approval, and to receive \$800,000 from the

Ford Motor Company for handling that waste, completely against their certificate of approval? Would the minister care to comment on whether he has yet been able to find out the location of the very trucks full of liquid industrial waste that exist at that quarry?

**Hon. Mr. Parrott:** Let me say a little bit about what actually was the process of that waste. There was waste at the Ford Motor Company. Sand was taken to the Ford Motor Company and mixed with that waste; then rather extensive tests were done for what might occur if leachate should evolve from the mixture. We were able to do those leachate tests. The results of those tests indicated that chromium would be present in the proportion of 0.1 part per million. Our guidelines would indicate it is acceptable to have one part per million for drinking water, say, of cattle. So that waste at Ford had a process through which it became an integral part of a solid material. It was mixed with the sand, as I explained, and the leachate tests done indicated it was well within those limits.

2:20 p.m.

Now, lest you think, Mr. Speaker, that I condone some of the things done by Walker Brothers, I would like to put on to the record exactly what I said to them nearly two weeks ago, long before this issue was raised here in the House. I will table this letter, as a matter of fact—I will be glad to do so—but I would like to read into the record the bottom paragraph, which says it rather well:

"In view of the seriousness of the allegations and the need for this ministry to give total assurance to the community for the safe operation of this site and the acceptability of your solidification proposal, I am suspending further activities with reference to the solidification project until these matters have been resolved."

I would further say, having taken that rather direct and firm stand, we then referred the matter to the Ontario Provincial Police for a full investigation. I do not have the response yet from that provincial officer, but that too will be made public when we have it, as we want to know in no uncertain terms whether there is truth in these allegations. If there is, we will be the first to deal with them.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Could the minister share with the House what went on within the Ministry of the Environment when they decided to enter into a proposal with Walker Brothers

Quarries Limited on the basis of their experience in liquid industrial waste management when it now appears that their experience was in illegal liquid industrial waste management? Is it to be the policy of the government in future that, even if experience is illegally acquired, it will count as a qualification for dealing with environmental problems in the province?

**Hon. Mr. Parrott:** I think the member is, obviously with hindsight, putting emphasis on the word "liquid." We had contacted every single company that we thought was able to do a project of this size. It is going to take a company with some considerable expertise to handle a project of this size. Those companies said to us: "We think it would be unwise to have six or seven companies in the business. It would be far better to have two—no more than two—in the business of solidification and liquid waste treatment." It seemed strange that they were agreeing to put more than 50 per cent of themselves out of business.

We were pleased to take that advice, because it gave us a great opportunity. As I said in response to the member's question the other day, we therefore would be able to get rid of landfilling of untreated waste—the member has heard me say that dozens of times—and, more particularly, we would be able to have our people on site 24 hours a day. I think that is extremely important as we start to deal more effectively with liquid waste in this province. For 24 hours a day, on all sites that are licensed for liquids, we will have an inspector. We will have direct control over these accusations, unsubstantiated though they may be. We will know what is going into those sites, and nothing short of that will ever satisfy our ministry.

**Mr. Speaker:** New question.

**Mr. S. Smith:** He has not answered the question about the buried trucks.

**Mr. Speaker:** He answers it in any way he deems proper.

**Mr. S. Smith:** He was not responsive at all to the point that its experience was illegal.

**Mr. Speaker:** You have had an ample opportunity to put a full first question and a supplementary. We have spent eight minutes on this question and you still do not—

**Mr. S. Smith:** Six of it was listening to an answer that was not responsive to the question.

**Mr. Peterson:** Let's go home and let the Speaker ask the questions.

**Mr. Speaker:** I do not need any smart comments from the member for London Centre. I have been charged with the responsibility of sharing the question period equitably.

**Mr. S. Smith:** I have another question for the Minister of the Environment. Fresh from this success and with waybills in hand showing that the ministry knew liquid waste was going into the Walker's quarry all the time, does the minister care to make some comment on the subject of South Cayuga as a site in which the dream of John White now is to turn into a nightmare for the area?

Does the minister care to explain how he can expect the people of Ontario to believe him when he asks them to take liquid industrial waste when, instead of basing his choice of sites on a geological or ecological survey of Ontario, he goes to Harwich because there is already a dump, to Ajax because they have an old sewage treatment plant and now to South Cayuga because John White had a dream?

Will the minister please tell this House how he expects the people of Ontario to believe him when he asks them to accept liquid industrial waste when his criteria are based on political convenience rather than a geological survey of Ontario?

**Hon. Mr. Parrott:** It might be interesting for the member to turn around and look at the man in the far left-hand corner from where I sit. Indeed, I will be glad to supply for him a copy of Hansard where his member suggested that Cayuga might be an ideal spot for liquid waste. It is readily available. I am personally not going to respond to that question about Cayuga until such time as the MacLaren report has come to my hands and I have a much more complete knowledge of why they think it is or is not a good site.

There are many sites being considered at this time, and that is the way it should be. We have a large number of potential areas where we think there is a possibility that a site should be supplied. It would be a great help if the opposition leader's colleagues were not always saying, "Not here." They have always got a great answer to where it should be, but it is very seldom specific except in the instance I gave, and that was one that it should be in Cayuga.

As far as the first part of the question is concerned—about whether we knew—ob-



viously we did not know, and we will not condone that kind of misinformation. As I have said—

**Mr. S. Smith:** I have the waybill with the minister's approval.

**Hon. Mr. Parrott:** I do not think the member does, but I will not argue that point. I think there is a piece of paper—I am not sure it is a waybill—but let me deal with that when the member supplies the evidence to me. Let me see that evidence, and I will be glad to view it. It does take some time from the moment it is filed at the site to when we have it; so I think the member should bear that in mind. But my staff did not know that liquid waste per se was going into that site. I think it is extremely important that this be clarified for the record.

**Mr. S. Smith:** I will supply the waybill for the minister on that matter.

**On Cayuga:** Since the minister says he wants to see the MacLaren report, I assume he is referring to the MacLaren report which surveyed all of Ontario to find the best sites. It contained a huge map of southern Ontario in which many sites were suggested, and South Cayuga was not one of them. Or maybe he is referring to the Dillon report, which is the one that Mr. Frewin referred to in the newspaper.

When the minister is represented by Mr. Frewin in the newspaper, is he referring to the Dillon report which said that South Cayuga might be considered for certain wastes? If so, is he aware that the Dillon report was on PCBs and not on liquid industrial waste? That is a totally different matter. As the Dillon report said on the subject of PCBs, "South Cayuga rated low in the land-use and public policies criteria."

**Hon. Mr. Parrott:** Again, I think I should clarify the record. I think it is fairly clear that there are two reports expected from MacLaren. One did look at all of this province, and they did that with a knowledge of the soil conditions and a lot of various things they thought should be considered for a site. A second report is forthcoming; so there is no inconsistency in my answer at all.

The first report was one of a general nature and was intended to be just that—a general view of the province and where sites might be located. The next report was to be much more specific in nature, and that is the one that is forthcoming in the near future.

I want to be clear that the ministry asked that the study consider not just Cayuga but all other areas where we have tracts of land that might be suitable for such a disposal

site. It seemed reasonable to us that we should expect our own land might be a place, if the conditions of soil were correct, that a facility might be located.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Can the minister explain to the House how it is that with all of these potential areas across the province to choose from, the ministry is proceeding to test, and has consultants studying, disposal of liquid wastes on the lands at Cayuga? That violates a ministry guideline that says liquid waste dumps should not be located on the kind of prime agricultural land that is found in the Cayuga land assembly area.

2:30 p.m.

**Hon. Mr. Parrott:** If the honourable member reads those recommendations carefully, I think he will find that if he took each and every one of them and applied all of them to any particular potential site, they would rule out every site.

**Mr. Swart:** The book showed 50 sites—25 optimum sites.

**Hon. Mr. Parrott:** Does the member want to just swallow it and have it magically disappear? Is that the way he would deal with it?

What we have to do is take that set of parameters and, based on what they have suggested, find which is the best site. We will have to put a priority on those parameters, and that is what we are trying to do. The forthcoming report is trying to do that. It would be nice if we could find a spot in the middle of nowhere to put these sites. Obviously we cannot, and everyone knows that. So we have a set of parameters and we will try to find the best site, all things being considered, and those parameters will be used as guidelines.

**Mr. Breithaupt:** Supplementary, Mr. Speaker: Mr. Frewin is quoted in the Globe and Mail as saying: "Consultants' studies have recommended that site as a potentially good landfill site for liquid waste." Since the earlier MacLaren study did not comment on this site and apparently the new study to which the minister has referred has not as yet been released, what studies have recommended that site? Or was Mr. Frewin not giving correct information with respect to liquid industrial waste?

**Hon. Mr. Parrott:** PCBs are a component of liquid industrial waste, and therefore the Dillon report deals with the specific components of it, not the total. The second MacLaren report has not reached my office as

yet. I hope it comes very soon, because we desperately need these facilities here in Ontario.

No one can deny that in the last year and a half there has been a great deal of activity to find suitable sites to treat our liquid waste. It is perhaps the most pressing problem this province faces today and it is extremely important that we get on with the job.

### MILK PRICES

**Mr. Cassidy:** Mr. Speaker, I have a question of the ministry about the price of milk, and I would like to start by addressing it to the Minister of Agriculture and Food. The minister knows that in August, when farmers got a 2.8-cent-a-litre increase in the price of their milk, the dairies and retailers took an increase of 4.2 cents a litre, to bring the overall increase to the consumer to seven cents a litre. At that time, the minister promised to discuss these unjustified price increases with the industry. Has the minister had those discussions with the industry and has he convinced the dairies to roll back their prices?

**Hon. Mr. Henderson:** Mr. Speaker, the honourable member is well aware that this ministry has no authority to ask the dairies to roll back their prices.

**Mr. Cassidy:** Supplementary: I redirect this to the Minister of Consumer and Commercial Relations. Since the Minister of Agriculture and Food says he has no powers to roll back prices, he should not have gone to meet with them in the first place.

Five years ago, the government received an inquiry report which showed that retailers were overcharging Ontario's consumers between \$8 million and \$17 million a year for milk. Since the farmers' milk prices are controlled and they have to justify every increase they receive in their fluid milk prices in the province, and since the minister has had the evidence of overcharging by the retailers and dairies for five years, why has he not used his powers over consumer prices to control excessive milk prices and milk price increases by dairies and supermarkets?

**Hon. Mr. Drea:** First of all, Mr. Speaker, I am blissfully unaware of the report the honourable member is talking about. Secondly, I do not think the present price of milk is not justifiable.

When the leader of the third party talks about the increase, he gives the impression that the farmers received the lower end of the total cost. The truth of the matter is

that the farmer got 55 per cent, based upon the raw milk cost.

I think there is something else that the leader of the third party should be aware of: This has been a rather dismal, and continues to be a dismal sector for the dairies. I don't think one has to read any more than the financial pages to see the very precarious position that dairies, not just in Ontario but indeed across the country, are in. I have looked at—

**Mr. Peterson:** If the Tories started drinking milk, it would help them out. It would really help them out.

**Mr. Speaker:** Order. Is the minister finished with his answer?

**Hon. Mr. Drea:** No, I am not, Mr. Speaker; I have one sentence.

The present price of milk, based upon a number of factors including energy and warehousing—particularly the labour agreements in warehousing—does not seem unjustified.

**Mr. MacDonald:** Mr. Speaker, I am surprised that the minister is not aware of that report, but let us come back to the reality at the moment: the farmers got 2.79 cents, the dairies raised it to five and the supermarkets raised it to seven, so that 60 per cent of the increase went to the dairies and the supermarkets. Is the minister aware of the fact that the Ontario Milk Marketing Board at its recent meetings in Geneva Park reiterated once again its claim that the dairies and the supermarkets should be made to be publicly accountable for their increases, just as the farmers have to be publicly accountable? How does the minister know whether they are justified, because he does not know any of the facts?

**Hon. Mr. Drea:** Mr. Speaker, I have looked into this matter since the increases were announced, but let me just draw to the attention of the honourable member who asked the question that the increase to farmers, expressed in terms of quarts, amounts to 9.6 cents for the three-quart size. Supermarkets increased the price of a three-quart pouch pack of homogenized and two per cent milk by 17 cents, which means the farmers get 56 per cent of the latest price increase and the processors and retailers get 44 per cent.

### EMPLOYER-SPONSORED TRAINING PROGRAM

**Mr. Cassidy:** Mr. Speaker, in June 1979, the Minister of Colleges and Universities assured the Legislature that the employer-sponsored training program would increase the number



of women receiving skills training. Can the minister explain why this year there are four women and 1,500 men in the employer-sponsored training program, as opposed to five women and 605 men a year ago?

**Hon. Miss Stephenson:** No, Mr. Speaker, I can give no specific rationale for that. The employer-sponsored training program is open equally to women and to men. The agreements that have been signed have been related to specific industries in which, at the present time, there is not a great preponderance of women looking for upgrading of their skills. We are attempting through community industrial training councils to broaden the base of employer-sponsored training right across the province, and, as I said, there is a full openness in that program so that it is equally applicable to both men and women.

**Mr. Cassidy:** Supplementary: Since the statistics contradict what the minister keeps on telling us about the programs being equally open to women as well as to men, will the minister say what steps she and the government have taken to ensure that women are adequately represented in the employer-sponsored training programs and apprenticeship programs in this province, specifically since a week and a half ago she signed an agreement for 186 new training places with the auto parts industry? Can the minister say how many women will be guaranteed places in that particular program, and if there are no guarantees, why not?

**Hon. Miss Stephenson:** It is my understanding that the agreement we signed last week is for 356 new training places in the automotive parts manufacturing area, and there is no specific guarantee that there will be a number of places held for women; there is no quota established at this point. If, indeed, there are women who are interested in being involved in that kind of training program, the program is as open to them as it is to any male applicant.

2:40 p.m.

## LIQUID INDUSTRIAL WASTE

**Mr. Kerrio:** Mr. Speaker, the Solicitor General has probably heard the comments made by the Minister of the Environment as they relate to an OPP investigation into the solidification process by Walker Brothers Quarries Limited as a proposal to the ministry. Is there anyone else who participated in initiating this investigation as well as the Minister of the Environment?

**Hon. Mr. McMurtry:** I am not aware of anyone else, Mr. Speaker.

**Mr. Kerrio:** Supplementary: Is the minister proposing a full investigation into the staff of the Ministry of the Environment as well as into what are considered to be breaches of the licence by Walker Brothers? Can we get an answer pretty soon because this thing has dragged on for a long time and we would like some answers?

**Hon. Mr. McMurtry:** What we are interested in is an investigation in relation to any issues of criminality. As far as I know, that will be the scope of the investigation.

**Mr. Isaacs:** Supplementary, Mr. Speaker, to the Minister of the Environment: Can the minister explain how a TV crew, in a few days of research, was able to turn up this evidence of problems going into that dump site when his own staff, who had been aware of the dump site for a long time, and who as recently as June 23, 1980, issued a new certificate of approval for that site, were apparently in ignorance of all the problems? Why does the minister's staff not investigate before they issue new certificates of approval?

**Hon. Mr. Parrott:** Mr. Speaker, the announcement of last week addresses the answer very well. Precisely what we needed was the enforcement team we announced last week. It will give us this kind of expertise, this kind of searching out of those who are doing something illegally.

I find it rather interesting that in this morning's press, the haulers themselves indicated they very much think the idea is an excellent one and they are going to assist it. It is that kind of assistance the Ministry of the Environment needs and, in my opinion, deserves. We cannot be every place in this province all the time. We never will be; that is an impossibility. But I am not going to take a thing away from W5 for having brought something forward. I welcome that; I would welcome it if anyone else who knows of illegal dumping would bring it to us.

Now that we have this team on stream that will let us take these investigations to the fullest, and now that we are going to bring in fines and strong prosecutions against those companies using their equipment for burial, we will come at last, with the support of the people of this province, to a full understanding and we will destroy any possibility of illegal dumping.

**Mr. Isaacs:** I would like to ask the minister whether he will make the producers of these hazardous wastes responsible for their safe disposal so that companies such as the Ford Motor Company cannot pay off a haulage company to do their dirty work for them. Will he make the producers responsible for ensuring the waste is properly disposed of?

**Hon. Mr. Parrott:** Of course we will, Mr. Speaker. That is what it is all about.

**Mr. Warner:** When?

**Hon. Mr. Parrott:** We have said over and over again that the disposal of untreated wastes or landfill must stop. It will stop as soon as those facilities are in place. It will be fully paid for, 100 per cent, by the producers of those wastes. Indeed, the way-bill system will be a system whereby the producers must be in full knowledge of where that material is going, how it is being destroyed, how much it is costing them, and they must take full responsibility. Those are the facts. The members may not like to hear them but they are the facts.

It is also a fact that Bill 24, passed by this Legislature in the last session, made the person who owned or was in control and possession fully responsible if a spill should occur. That is the kind of positive action that this government, my administration, has taken on liquid industrial waste. As I said the other day, there is no other jurisdiction that comes close to us.

**Mr. Peterson:** Supplementary, Mr. Speaker: Is the minister prepared to commit himself now to a search by his ministry for those allegedly buried tank trucks in the Walker Brothers quarry in order that he can do a chemical analysis? According to Mr. Walker, only a visual inspection was done of those toxic materials.

**Hon. Mr. Parrott:** Mr. Speaker, I do not have to promise we will do it; we are in the process of doing it right now.

### HOSPITAL INTERNS

**Mr. Conway:** Mr. Speaker, in the absence of the Minister of Health (Mr. Timbre'll), my question will be to the Minister of Colleges and Universities. It concerns the reports in today's press about a strike by the Professional Association of Interns and Residents of Ontario on Thursday of this week. Can the Minister of Colleges and Universities indicate to this House whether or not it is her understanding that there was an agreement arrived at between the Ontario Council of

Administrators of Teaching Hospitals and the interns and residents association in the summer? If it is not her understanding, can she give this House some indication of what the government proposes to do to avert what would be a very serious disruption of our hospital services on Thursday of this week?

**Hon. Miss Stephenson:** Mr. Speaker, it is my understanding that at a meeting between representatives of OCATH and PAIRO in the summer there was not agreement except about the level of remuneration that would be provided to interns and residents for a retroactive period and the current period. I was not aware there had been even a suggestion of an agreement until I read that in the newspapers, as a matter of fact.

There have been discussions among the three ministries with involvement in this area. As I am sure the honourable member knows the entire matter of that report has been referred to the clinical education committee of the Ontario Council of Health. I am aware that committee has met with PAIRO within a fairly recent period of time and discussions are going on about the entire matter.

**Mr. Conway:** In view of the fact that 23 teaching hospitals in this province would presumably be affected by this withdrawal of services—services that are vital to the provision of institutional health care in this province—and in view of the fact that withdrawal is threatened in about 72 hours from this moment, can the minister indicate what the government's position is with respect to this proposed withdrawal of services and what concrete steps her government is taking to ensure that the people of this province, who require those services, will not be without them in two or three days' time?

**Hon. Miss Stephenson:** Mr. Speaker, since that is a matter which falls under the direct jurisdiction of the Minister of Health, it would be much more appropriate to discuss that matter with that minister. I have no immediate knowledge of the position which that minister has taken as of today.

**Mr. Conway:** Mr. Speaker, in the absence of the Minister of Health, could I redirect that to the Premier, who must surely speak for the entire ministry. Can the Premier indicate what involvement he has had and what specific proposals he has taken to these very critical negotiations which threaten this province with a strike on Thursday of this week?

**Mr. Speaker:** Does the honourable Premier have any additional information to add to the supplementary?



**Hon. Mr. Davis:** Mr. Speaker, not in the context of being an expert on the subject, but I do understand the Minister of Health is with the Ontario Hospital Association at this moment and the ministry, of course, is concerned. There have been some discussions. I think the feeling of the ministry is that the actual care of any of the patients in those institutions would not be prejudiced in the short term.

The ministry has made it quite clear that it is prepared to meet with both sides; there may even be three sides to these negotiations, but at the moment the ministry is quite sure that the care of the patients will not be affected, certainly in the short term.

**Mr. Mackenzie:** Final supplementary, Mr. Speaker: Will the Minister of Education tell us how—following the ratification of the terms as reported in the Medical Post on August 12—the head of the OCATH team could state, as reported, “We have not ratified the agreement but I do not foresee any problems,” said Boyd McAulay, OCATH president.” If that is not an agreement or close to it, I do not know what is. Was there a third party intervention that has brought about the obvious collapse of what seemed to be a firm agreement?

**Hon. Miss Stephenson:** Mr. Speaker, to my knowledge there never was a firm agreement and I am not at all aware of the procedure that Mr. McAulay might have been alluding to in that article.

2:50 p.m.

#### ANTIFREEZE PRICES

**Mr. Swart:** Mr. Speaker, does the Minister of Consumer and Commercial Relations know and does he care that the price of Prestone has increased 75 per cent in the last two years; that the major increase took place in 1979 because of underproduction of ethylene glycol in Canada at that time, and that although the production is now adequate, the ripoff continues?

Is the minister aware that the ethylene glycol market in Canada is controlled by only two multinationals, Union Carbide and Dow Chemicals, and that their profits have been enormous in the last two years and are going up dramatically? For instance, Union Carbide's profits went up from \$20 million in 1978 to \$58 million in 1979 and by a further 150 per cent in the first six months of 1980. Has the minister looked into this and can he justify this set of circumstances?

**Hon. Mr. Drea:** Mr. Speaker, I will consult with my colleague, the federal minister, on this matter. Excuse me, what is your problem today?

**Mr. M. N. Davison:** You don't know, but do you care?

**Hon. Mr. Drea:** My friend, I care about a great number of things.

**Mr. Swart:** May I ask a supplementary?

Interjections.

**Mr. Speaker:** Order. Just ignore the interjections. The minister has taken your initial question as notice. He will check with his federal counterpart and, at that time, the member will have an opportunity to explore it further.

**Mr. Swart:** I have further evidence.

**Mr. Speaker:** Why didn't you put it in your initial question?

**Mr. Swart:** You have said on occasion not to make questions too long and I wanted to shorten it, Mr. Speaker.

**Mr. Speaker:** That is a risk the member takes. He can't automatically assume he is going to get a supplementary. The minister has taken your question as notice. When he reports back to the House, you will be given the opportunity for a supplementary.

#### SALE OF STELCO SHARES

**Hon. Mr. Drea:** Mr. Speaker, on Friday last the member for Hamilton East (Mr. Mackenzie) asked a question concerning stock activity regarding the Steel Company of Canada. In answer to his question, I am informed by the Ontario Securities Commission that as of today there is no information that insider positions are being accumulated—by insider, I mean 10 per cent—or that any takeover bid is in progress.

In response to another part of the question, I would draw to the member's attention that Stelco stock has always been relatively widely held in the United States. One of the reasons for that is that of all the steel company investments available to the public in North America, Stelco is the best.

#### SPECIAL OCCASION PERMITS

**Hon. Mr. Drea:** Mr. Speaker, the member for Sarnia (Mr. Blundy) asked a question regarding special occasion permits. May I say initially that a great deal of misinformation has been circulated regarding this subject. I welcome the question because it

is an opportunity once again to state clearly what has taken place.

The concerns of the member are inappropriate because the maximum price that may be charged for alcoholic beverages applies only to social-sale, special-occasion-permit functions. The social-sale events are held only by groups or organizations that have no charitable and/or community objectives. The regulations under the Liquor Licence Act have always stated it was illegal to make a profit from this type of permit. Therefore, no change has been made to the policy, but just to the manner in which it is controlled, to ensure that the policy is enforced.

Charitable service, ethnic and/or community organizations are entitled to apply for fund-raising permits which are not subject to any price controls. Therefore, these types of groups or organizations may raise as much money as they wish, provided they have the proper type of permit. I would caution the members, however, that many individuals object to the new system because it was designed to impede, and it does impede their ability to make an illegal profit.

I also assure the members that no legitimate organization should be affected by the new regulations.

**Mr. Di Santo:** Supplementary, Mr. Speaker: Is the minister aware that there are hundreds of ethnic clubs that have no charitable or, as he defines them, community objectives? They are local clubs for small groups of people with no possibility of fund raising but they need the money they get at the bar for their survival.

Is the minister aware that these regulations have raised such an uproar that 120 clubs met in Guelph on October 23, and that the Progressive Conservative Party of Ontario had a special meeting on the minister's regulations and was told an outright lie, that this Legislature changed the regulations? Does the minister not think, because there is such a widespread uproar in the province, it is only wise to go back to the regulations as they were before July? How many Conservatives does he need to dissatisfy in order to provide the fall of the government?

**Hon. Mr. Drea:** First of all, no ethnic club will suffer from this.

**Mr. Di Santo:** Yes, they will.

**Hon. Mr. Drea:** I would ask the member to name me one. Every ethnic or social organization that obviously raises funds to do something for the community will have no difficulty whatsoever getting a permit. The

only time they might have some difficulty is when they want to use the money for their own hall and will not admit the public. If they admit the public or if they put the money into parts of the hall used for cultural or community purposes, then there is no problem whatsoever.

**Mr. Di Santo:** The minister will have a big fight.

**Hon. Mr. Drea:** I will not have a big fight, I say to the honourable member.

Interjections.

**Hon. Mr. Drea:** The Legion feels quite good about the act.

Interjections.

**Mr. Speaker:** Order. The Minister of Industry and Tourism would like to comply with a request made earlier.

#### TABLING BACKGROUND INFORMATION

**Hon. Mr. Grossman:** Mr. Speaker, while I don't necessarily agree with your ruling that a compendium is required to my statement last week, I am more than delighted to table now with the Clerk, the compendium showing 307 new plants or expansions, \$7.4 billion worth of new investment and 25,000 new jobs in Ontario in the last 20 months. I am very pleased and proud to table that on behalf of this government.

#### ASSISTANCE TO PENSIONERS

**Mrs. Campbell:** Mr. Speaker, I would like to read to the Minister of Consumer and Commercial Relations, as the minister responsible for matters of landlord and tenant and as the minister responsible in the field of false advertising, a promotional brochure that is in my hands, and ask for his comment.

"If you are an Ontario resident 65 years of age or over, you are eligible, regardless of income, for the property tax grant if you pay property tax on your residence or rent for your accommodation."

Has the minister altered the definition of "tenant" under the legislation? If he has not, would he have his consumer protection branch direct the ministry responsible to ensure that it will see that all tenants 65 years of age or over in this province are, as his material says, eligible for the property tax grant?

3 p.m.



**Hon. Mr. Drea:** Mr. Speaker, the honourable member has made a mistake, and a quite common one. I am not the minister in charge of the Landlord and Tenant Act; it is my colleague, the Attorney General (Mr. McMurtry). I will refer the matter that has been raised by the member to the Attorney General. The reason for the mistake is that when the new Residential Tenancies Act—which is now in limbo before the Supreme Court of Canada—was passed in this Legislature, there was a transfer of jurisdiction. With that bill in hiatus, the Attorney General is still responsible for landlord and tenant matters; I have only rent review.

**Mrs. Campbell:** Does the minister, having this expertise in the past, know whether there has been a change of definition of "tenant" under the landlord and tenant legislation? Also, I understand in the first instance it is up to this minister to look at the matter of false advertising.

**Hon. Mr. Drea:** Mr. Speaker, I said I would look at the matter. I just want to point out to the honourable member that I am not the minister responsible for landlord and tenant procedures.

**Mrs. Campbell:** We have difficulty finding the other minister.

**Hon. Mr. Drea:** I will be very pleased to look into the matter, but I will also have to consult with the minister under whose primary jurisdiction the definition of "tenant" is. I will look into the matter about the false advertising. I presumed that was known when I answered it.

#### WHITE MOTOR CORPORATION

**Mr. Makarchuk:** Mr. Speaker, in view of the uncertainty that exists regarding White Motor Corporation in Brantford, can the Minister of Industry and Tourism indicate to the House what action he is contemplating at this time to preserve those jobs? Is he prepared to bring in legislation similar to legislation that exists in European jurisdictions, which more than likely would prevent the closure of this particular facility and the loss of 1,700 jobs?

**Hon. Mr. Grossman:** Mr. Speaker, I welcome the question. May I say, to answer the second part first. I do not know what specific legislation the member is referring to in Europe that would save jobs, which have been affected by a lot of things, including market, but if he wants to send over a copy of the legislation, I will look at it and no doubt reject the request.

With regard to the White farm equipment firm, I would like to take this opportunity to clarify the statement I made here last Thursday or Friday in response to a question from, I think, the same member. I indicated at that time that I was fairly optimistic. I believe Hansard and others recorded that as "very optimistic." In fact, I remain fairly optimistic. The receiver called us on Friday to point out to us that as of last Friday some of the recalls from layoffs that were anticipated: earlier, that is, at the time at which the mayor of Brantford and others came in to see me, had not yet occurred. As of today's date, the matter is still being reviewed by the receiver.

**Mr. Makarchuk:** In view of the fact that the market conditions have improved dramatically with the American sales to China, and also in view of the fact that there is a possibility of an imminent takeover at White, is the minister prepared at this time to seek or negotiate some guarantees with the new people, to ensure the continuation of that operation and the jobs?

**Hon. Mr. Grossman:** Obviously, if there is a takeover involving a FIRA application, my ministry will have input and will be making input which will try to reflect the goals the member stated.

#### TVONTARIO

**Mr. Bolan:** Mr. Speaker, a question to the Minister of Culture and Recreation regarding the delay in providing TVOntario service to the Nipissing area: In the light of the fact that the government has committed itself for several years to full Ontario coverage of TVOntario services, and considering the fact that the Minister of Revenue (Mr. Maeck) himself has confirmed that the needed capital funding is at present available, when can the people of Nipissing, as well as those of Parry Sound and Muskoka, expect the operating funds to be provided for the service for which the taxpayers in the north are already paying?

**Hon. Mr. Baetz:** Mr. Speaker, as I reported to this House a few weeks ago, TVOntario and my ministry and our government are certainly aware there are still some areas of Ontario that are not being covered by TVOntario. However, right now, 87 per cent of the population is receiving TVOntario service. The area just alluded to, the Nipissing-Parry Sound district, is one to which we wish to extend our service and plans are under way to do that.

We have not made any final plans. If the capital were available—and the member has indicated it likely is—I would remind all members here that the capital really represents the smaller part of the cost of extending TVOntario to a new area. The operating funds that follow thereafter are 15 or 20 times higher than the initial capital investment. In spite of that concern, we are still very actively looking at the possibility of extending the service.

As we look at the expansion of TVOntario and as we look at the traditional methods of expanding our service, we are at the present time perhaps the world leader in experimenting with satellite broadcasting. As the member knows, 40 remote areas in northern Ontario for the last 18 months have been getting TVOntario signals bounced off Anik B. We want first of all to be sure we know fully what those implications are for the conventional systems. In spite of waiting for that, I am still very optimistic, as is my colleague, the Minister of Revenue, that TVOntario will be expanding into the member's area.

**Mr. Bolan:** In other words, the minister does not know when this service is going to be provided. Is that right?

**Hon. Mr. Baetz:** No. That is not right. If the member would like to know at which hour and which minute, the answer is I would not know—but certainly it is imminent.

**Mr. Kerrio:** How about the month?

**Hon. Mr. Norton:** Right after Kingston gets it.

**Mr. Wildman:** Supplementary, Mr. Speaker: Since the minister has mentioned his satellite program, and I understand it has been extended for an additional 19 months, could he indicate how many of those sites are in the Nipissing-Muskoka-Parry Sound area? If there are not very many, is he willing to extend the program into that area?

**Hon. Mr. Baetz:** There is a program that receives signals bounced from the satellite Anik B, which is very much in the experimental stage. We only have 40 so-called dishes, which are the receiving part of it, in people's backyards. We do not intend under Anik B to extend that much beyond the 40. We are already making plans through TVOntario—again the world leader in this field, I might say, that when satellite—

**Mr. Bradley:** Don't hurt your hand patting yourself on the back.

**Hon. Mr. Baetz:** The members over there don't like to hear the good news—great news: TVOntario is the world leader in satellite broadcasting. When Anik C goes up, we will be there with it and we will probably be able to reach all the people of Ontario at that time.

## RURAL ELECTRICAL RATES

**Mr. MacDonald:** Mr. Speaker, I have a question for the Premier. Last week, in responding to a question from the Leader of the Opposition (Mr. S. Smith) with regard to the apparent failure of Ontario Hydro to respond to the government's new policy of removing differentials between rural and municipal residential rates, he referred to a document that is now circulating among the Ontario Municipal Electric Association and the major power users. I think I have a copy of that document in my hand.

I wonder whether the Premier is aware that the framers of the new policy—which they say is going to be based on government objectives and policies—state that the switch from the current to the proposed new rate structure will result in \$33 million less being charged to the municipal bulk rates. That will be met by an increase of \$8.8 million to the direct major power users and an increase to the rural users of \$24.4 million. Is the Premier aware that is the framework of the new policy that is now being fleshed out and will arrive at his office some time soon? How can that conceivably meet the objective of removing the differential for rural consumers?

3:10 p.m.

**Hon. Mr. Davis:** Mr. Speaker, I am not familiar with that particular report.

**Mr. MacDonald:** This is the report.

**Hon. Mr. Davis:** With great respect, we have had no report from Ontario Hydro. Now whether there has been a circulation from the Ontario Municipal Electric Association, which has had consultations with Hydro based upon the statement we made, I do not know. All I can say to the honourable member is what I said last week, which is that we are anticipating the report from Ontario Hydro to recommend to us the various options that might be available in terms of the reduction of the differential in rates between the rural and urban customers. I have not had that report. My advice is that report is not yet ready.

**Mr. MacDonald:** The report is a report of Ontario Hydro. It is dated August 1980. It states in the latter portion that it is now



being circulated to the OMEA and the major power users. This undoubtedly is the report that ultimately, in its refined stage, will be sent to the Premier. I repeat that what that report envisages is a cut of \$33 million to the municipalities, an increase of \$8 million to the major power users and an increase of \$24 million to the rural direct retailers. Is the Premier not aware of that? Why is it generally available to the OMEA and he does not know they are moving towards a violation of what he states is government policy rather than the fulfilment of it?

**Hon. Mr. Davis:** With great respect, there have been discussions with the OMEA; I was a part of them. The OMEA, as I mentioned to members here in the House, are less than enthusiastic—that is a moderate way of describing it—with respect to the policy we enunciated last April. There may have been discussions with the OMEA based on some hypothesis; whether that is a part of it, I do not know. I just point out to the member for York South, I was talking to the chairman of Ontario Hydro just a few days ago, as has the Minister of Energy. We do not have the report from Ontario Hydro.

**Mr. MacDonald:** It has gone out to the OMEA and the major power users.

**Hon. Mr. Davis:** With great respect, it has not gone out to everybody in terms of the recommendations they will be making to us.

**Mr. Conway:** Supplementary, Mr. Speaker: This is, I think, a good opportunity to ask the Premier a question, since he says there are some reports that he does not have in this connection. I suppose I am properly assuming that he agrees with the published report in the *Ottawa Journal* of some months ago which indicated that the former Minister of Energy, the member for Prince Edward-Lennox (Mr. J. A. Taylor) indicated that tens of thousands of rural hydro users in this province were “being ripped off by the provincial utility.” Surely he does agree with that and that is why he is moving in this direction to correct this “ripoff” that has taken place over these many 37 years.

**Hon. Mr. Davis:** The member should live so long.

**Mr. Kerrio:** He will.

**Hon. Mr. Davis:** I hope so. I wish him well. I expect he will live to a ripe old age, but not necessarily as a member of this House.

**Mr. Speaker:** Order. The question.

**Hon. Mr. Davis:** Was I departing—you have handled the question period very well, Mr. Speaker; I will not—

**Mr. Speaker:** It has nothing to do with the age of the member who asked it.

**Hon. Mr. Davis:** He mentioned something about age; I forget what it was.

**Mr. Conway:** When the member for Prince Edward-Lennox was the Minister of Energy, he said tens of thousands of rural hydro users had been ripped off.

**Hon. Mr. Davis:** I will just repeat what I said; I know it takes a minute or two to sink in.

The policy enunciated last April, which Ontario Hydro will be recommending to us as to how it might be accomplished, is to reduce the differential between the urban and rural rates. As I pointed out to the members, part of the complexity of this, which may or may not show in the report or whatever document the member for York South has, is that there are some situations even now where the local municipal rate is higher than the rural rate because of the involvement of the local municipal utility.

It is not just a case of saying all the municipal rates are at X, and so all we have to do is reduce the rural rate by a percentage, because we could then widen the differential in another sense between the urban and rural rates. It really is rather complicated. This is one of the reasons the OMEA, including, I am sure, people from the member's own riding, are less than enthusiastic. None the less, the commitment remains.

**Mr. Conway:** However, the Premier does agree with the member for Prince Edward-Lennox?

**Hon. Mr. Davis:** I try to be as agreeable as I can with everybody, including the member for Renfrew North in those circumstances when he can divorce himself from his partisan instincts.

#### SPECIAL OCCASION PERMITS

**Mr. Bradley:** Mr. Speaker, I have a question for the Minister of Culture and Recreation. In view of the fact that during his estimates he told the members of the committee that his ministry is designed to promote multiculturalism, ethnic organizations, heritage groups and recreational groups; and in view of the fact that his government likes to indicate it is in favour of deregulation and allowing individuals to do things for themselves, does the minister not feel that the new regulations

announced by the Ministry of Consumer and Commercial Relations through the Liquor Licence Board of Ontario are going to have a confining effect on the ethnic and other organizations across Ontario in terms of their ability to continue the ongoing operation and routine maintenance of their buildings if these regulations are left the way they are?

**Mr. Speaker:** The member must realize and will agree that the same question was already asked of the Minister of Consumer and Commercial Relations (Mr. Drea). It was a supplementary put by the member for Downsview (Mr. Di Santo).

**Mr. Bradley:** I recognize that, Mr. Speaker. The reason I directed it to the Minister of Culture and Recreation is that it is his responsibility. I am asking for his comment as the Minister of Culture and Recreation and not from the Minister of Consumer and Commercial Relations.

**Mr. Speaker:** Does the Minister of Culture and Recreation have a response to what he has heard up to this point?

**Hon. Mr. Baetz:** I would simply like to say, Mr. Speaker, that we over on this side of the House and I as the minister responsible for multiculturalism have a far greater interest in the ethnic groups than anybody else over there. That is all.

#### NOTICE OF DISSATISFACTION

**Mr. Speaker:** Pursuant to standing order 28, the member for Downsview has given notice of his dissatisfaction with the answer given by the Minister of Consumer and Commercial Relations to his question concerning liquor regulations. This matter will be debated at 10:30 tomorrow night.

#### SPECIAL OCCASION PERMITS

(continued)

**Mr. M. Davidson:** Mr. Speaker, I rise to correct the record. During the answer by the Minister of Consumer and Commercial Relations to a question from the member for Sarnia (Mr. Blundy), and again on the supplementary being raised by the member for Downsview, the minister indicated that ethnic halls in this province would have no difficulty in getting fund-raising permits if they had something to do with community betterment. He put somewhere in that response that that meant as long as they opened up their halls for—

**Mr. Speaker:** What is the member's point?

**Mr. M. Davidson:** My point, Mr. Speaker, is that I am correcting the record, if I may. In the Hansard report of the standing procedural affairs committee meeting of Wednesday, October 1, the minister said in response to a question: "People look at community betterment and they say, 'But we have been running an ethnic hall.' We say, 'That is community betterment because it is something that is in the community.'" Nowhere does it say that it has to be for any purpose.

A week ago last Friday, I approached the minister regarding a special occasion permit for the Holland-Canada Club in my area. Granted, he phoned someone down at the Liquor Licence Board of Ontario. He then told me all that was required was a letter from this group indicating how they disbursed their funds. I went back to that group, I got the letter and I personally met with Doug Rolling, the director of special occasion permits, on Monday morning.

**Mr. Speaker:** None of that is on the record; so you are not correcting any record that I am aware of.

**Mr. M. Davidson:** I am correcting what the minister said in response to a question. He said they could get one. I am suggesting they cannot.

**Mr. Speaker:** That is a difference of opinion; it is clear and simple.

**Mr. M. Davidson:** It is not a difference of opinion; it is a matter of fact. He is contradicting himself.

**Mr. Speaker:** It is a difference of opinion.

**Hon. Mr. Drea:** Mr. Speaker, while I was answering a question a week ago Friday, the member ducked behind my seat here and asked me to expedite the issuing of a permit. I went out to the phone and told them what had to be done. The permit will be issued.

**Mr. M. Davidson:** They have not got it, and the event was Saturday night.

3:20 p.m.

#### LIQUID INDUSTRIAL WASTE

**Mr. Isaacs:** I have a point of privilege on a different matter, Mr. Speaker.

On October 9, I asked the Minister of the Environment (Mr. Parrott) to provide copies of all agreements and correspondence between himself or his staff and Walker Brothers, or the proponents for that solidification plant. I received a reply to that question on October 24. Today the minister tabled a letter dated October 16 which was not in-



cluded in the response I received from the minister to that written question, nor was there any indication in the response to my written question that the minister was withholding information in his reply.

I wonder whether you would investigate, Mr. Speaker, because I believe my privileges have been breached.

**Mr. Speaker:** It would have been more appropriate if the honourable member had raised that while the minister was here. I will await the other side of the question.

## REPORT

### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr. Swart, in the absence of Mr. Philip, from the standing committee on administration of justice, presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr33, An Act respecting the Estate of Mary Agnes Shuter;

Bill Pr34, An Act to revive Theatre Passe Muraille;

Bill Pr35, An Act to revive Gould's Drug Store Limited;

Your committee recommends that the fees, less the actual cost of printing, be remitted on Bill Pr34, An Act to revive Theatre Passe Muraille.

Report adopted.

## MOTION

### COMMITTEE SITTINGS

Hon. Mr. Gregory moved that the subcommittee of the standing committee on administration of justice be authorized to sit next Tuesday following routine proceedings to consider its report on its review of Ontario Housing Corporation.

Motion agreed to.

## INTRODUCTION OF BILL

### CITY OF SUDBURY HYDROELECTRIC SERVICE ACT

Hon. Mr. Welch moved first reading of Bill 175, An Act to provide for Municipal Hydroelectric Service in the City of Sudbury.

Motion agreed to.

**Hon. Mr. Welch:** Mr. Speaker, as members of the House will recall, this bill establishes a new municipal hydroelectric commission for the city of Sudbury. It is a first step

towards the total restructuring of the municipal electric commissions in the regional municipality of Sudbury. In taking this interim step, the government is responding to the wishes of the people of Sudbury and following the recommendations of the local study team report.

No later than January 1, 1980, all customers in the city of Sudbury will be supplied with power by the new commission. This bill does not affect existing agreements for supply of power by private companies.

This bill has been reviewed with members of the Sudbury council, members of the Sudbury Hydro Commission and indeed those members of the Legislature representing the Sudbury area.

On behalf of the government, I wish to commend the Sudbury local study team, Ontario Hydro and my colleagues of the Legislature for their efforts to establish a more rational and responsive electric power service for the people of the city of Sudbury.

## MEDAL INVESTITURE

**Mr. Speaker:** Before the orders of the day, I would like to remind all honourable members that there will be an investiture of the Ontario Medal for Firefighters Bravery and the Ontario Medal for Police Bravery, which will take place on the lower steps of the main lobby on the first floor. The stairway will be closed, and the investiture is to take place at six o'clock; I mention that so there will be no surprises when we rise at six.

## ANSWERS TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Gregory:** Mr. Speaker, I am tabling the answers to questions 307 and 308 standing on the Notice Paper. (See appendix, page 3801.)

## ORDERS OF THE DAY

House in committee of supply.

## ESTIMATES, MINISTRY OF NORTHERN AFFAIRS

(continued)

**Mr. Chairman:** When the committee was last discussing these estimates I believe the member for Algoma had the floor.

**Mr. Wildman:** Thank you, Mr. Chairman. I want to indicate to the committee my appreciation of the minister's giving me a ride downtown today from the airport. I hope he

left that rifle he had in the trunk at home before he came to the estimates.

When we were last considering these estimates, I was raising the matter of clarification of the ministry's role and indicating the difficulty we sometimes have in getting a definitive statement of what that role is from this minister or his colleagues.

We are told the Ministry of Northern Affairs is not a line ministry but, rather, its mandate is to co-ordinate the provincial government's response to the needs of the north. But whenever one tries to obtain clarification of exactly what that means—that is, the responsibility of the Ministry of Northern Affairs, or the ministry's relationship to the so-called line ministries—one encounters difficulties.

I would expect that a ministry charged with ensuring the provincial government responds to the needs of the north should be able to influence line ministries' policies regarding the north. But, no, this is not the case.

For instance, when I raised the question of Ontario health insurance plan coverage for non-emergency medical transfers with the Minister of Northern Affairs (Mr. Bernier), he expressed some sympathy in this House but referred the matter to the Minister of Health (Mr. Timbrell), who apparently has no sympathy.

If I could digress for a moment, I have with me a copy of an editorial which I read this weekend. It was printed in the *Kapuskasing Northern Times* on Wednesday, October 22, and refers to this particular matter. The heading reads: "Timbrell Has No Problems Now but May When the Polls Open."

The editorial begins by saying: "Practically everyone in the north is complaining these days about inadequate air ambulance service. Hospital administrators suggest it is lacking the most fundamental policy. The municipal leaders are working to make it quicker and more comfortable and patients are being victimized."

I emphasize "victimized" is the word used.

"Yet, despite all of this, Health Minister Dennis Timbrell recently stood before his colleagues in the Ontario Legislature and said no problem exists."

Further, it says:

"Why the minister would condone a policy which is so bent on supporting only those residing in the southern half of the province is difficult to explain unless one appreciates Mr. Timbrell's political aims.

"What is unfortunate in all of this is the basic vehicle for service exists." I will give the minister credit for that; there is a basic vehicle for the service. They go on to say: "Many northerners simply do not know of its workings. It is such people who become snarled in bureaucratic red tape and are the victims of the government paper shufflers."

They finish off by saying:

"Perhaps Mr. Timbrell doesn't believe a problem exists now. He may think differently when the Tories come to the north looking for support in the next provincial election."

That particular problem is an example of what we consider to be the ineffectiveness of this ministry in influencing the policies of other ministries in delivering services to the north.

**Mr. Martel:** He is good at delivering cheques, though.

**Hon. Mr. Bernier:** I haven't delivered a cheque.

**Mr. Martel:** Oh, yes. In Alban—for \$23,000—personally.

**Mr. Wildman:** Did he deliver a cheque for \$23,000?

**Hon. Mr. Bernier:** That was one of the many things I did on that particular trip.

**Mr. Wildman:** Despite the claim that the Ministry of Northern Affairs had a responsibility for co-ordinating all developmental activities by working with all ministries and agencies, let us look at exactly what the policies say.

3:30 p.m.

The policy for development paper published by this government states that the Ministry of Intergovernmental Affairs continues to provide the broad, regional economic development direction.

This geographic ministry has failed to wrest the authority to direct economic planning and development for the region for which it is responsible from the ministry whose former head predicted in 1977 the continuation of the status quo in northern Ontario for at least a generation.

**Mr. Bolan:** Who was that? Darcy McKeough?

**Mr. Wildman:** Yes. I think that was his name. The Duke of Chatham-Kent.

Interjections.

**Mr. Wildman:** Last week in the resources development committee during consideration of the estimates of the Ministry of Industry and Tourism, which is also responsible for



economic development, I attempted to find the guidelines for defining whether that ministry or the Ministry of Northern Affairs was the lead ministry in proposing and/or funding feasibility studies for economic development projects for northern Ontario. That minister could not explain them very well, other than to say that it depended on the project and that both ministries, as well as others, were often involved.

It seems to me to be very ad hoc which is the lead ministry on Minaki or, for that matter, on a less controversial topic that the minister mentioned in his leadoff, the King Mountain project. In a wider aspect in terms of tourism for the north, who is responsible for negotiating the tourism agreement for northern Ontario with the Department of Regional Economic Expansion? Is it this ministry or is it some other ministry?

If we look at the relationship between this ministry and the Ministry of Transportation and Communications or the Ministry of Agriculture and Food, the lack of any real new initiative by the government in establishing a ministry of northern Ontario is evident. The staff and programs of those other two ministries continue to be operated by them. It is true the money that is budgeted to pay for their programs is voted in the estimates of the Ministry of Northern Affairs, but the planning of programs, as well as their delivery, as far as I can ascertain, remains with MTC and OMAF.

For example, MTC continues developing its five-year construction plans, but now there is one more step added to the process before a contract is awarded. MA staff must also give it their stamp of approval. This is hardly what we in our party consider a serious attempt to ensure that government programs respond more adequately to northern needs. At present, MA is without the power to direct the budgetary expenditures of other various line or implementing ministries. As such, the ministry is not able to deal with the economic problems that have plagued the north for so long.

Of course, the reason for this is the complete lack of commitment on the part of the government to deal with those problems anyway. Northern Ontario has enormous potential but for 37 years the Tories have failed to turn it to our advantage. The north contains 85 to 90 per cent of the province's land mass and 10 per cent of its population. It is rich in natural resources, supplying more than \$2.03 billion worth of minerals in addition to supplying the raw materials for Ontario's

\$5.7-billion forest products industry. In spite of this tremendous resource wealth, northerners have never enjoyed the advantages taken for granted by southern Ontario residents. Wages are lower and jobs are insecure, health and social services are less available in the north, and little has been done to ensure economic stability.

To a very great extent the economy of northern Ontario remains dependent on the extraction and export of primary mineral resources and forest resource products. In northwestern Ontario, logging alone provides some 40,000 jobs. Logging, sawmilling and pulp and paper production account for more than 60 per cent of the total employment in the region. In the northeast, logging provides about 3,400 jobs, and the forest industry accounts for about 32 per cent of the region's manufacturing employment. In the northeast, some 16.2 per cent of the work force is employed in the primary resource sector, while 79 per cent of manufacturing jobs are related to natural resource-allied products.

Even though the north contains 75 per cent of Ontario's productive forest, and more than 90 per cent of the annual ore tonnage is extracted north of the French River, much of the wealth and job creation potential of the north's resources is lost to southern Ontario and other metropolitan centres. A striking example of this is to be found in the regional distribution of forest-based manufacturing activity. While the north produces virtually all of the province's timber and pulp, fully 60 per cent of the jobs involved in processing these raw materials are located in southern Ontario.

This northern economic role as a hinterland for the southern metropolis is also reflected in the structures of northern communities. We firmly believe that in order to understand and bring about solutions—

**Hon. Mr. Bernier:** Doom and gloom—same as you said 10 years ago.

**Mr. Wildman:** Yes, nothing has changed.

**Hon. Mr. Bernier:** Rodriguez was giving this speech in the House of Commons. Look what happened to him.

**Mr. Wildman:** The minister never looks at the problems to figure out how to resolve them. He would like to sweep them under the rug instead of dealing with them.

My colleague mentioned one-industry towns. Ontario has 115 single-industry towns, of which 65 per cent are based on the mining or forest industry, and 60 per cent of those communities are located in northern Ontario. These towns exist only as

long as companies find it profitable to exploit the resources in the area.

**Hon. Mr. Bernier:** What have your brothers in Saskatchewan done?

**Mr. Wildman:** They are doing a great deal. The minister himself mentioned what the Department of Northern Saskatchewan was doing in his leadoff.

**Hon. Mr. Bernier:** That's right. They are changing to our system.

**Mr. Wildman:** I will deal with that in a moment.

**Hon. Mr. Walker:** We are again providing the lead.

**Mr. Wildman:** The problem is the government is not providing the lead. It is the private corporations that are providing the lead in terms of development of the north. That is one of the reasons for the problems.

While resource corporations can and often do thrive in this economic environment—

**Mr. Martel:** When this government was involved, it wiped out the fourth-largest employer in Sudbury.

**Mr. Chairman:** Order.

**Mr. Wildman:** While the corporations can get along well in this kind of environment, undiversified communities and the residents do not fare so well. We can look at the examples of Atikokan and the Steep Rock Mine, Capreol and Marmora. In these communities iron ore mines closed down, as the minister well knows. A major factor in the decision to close down the mines was the acquisition of interests in American iron ore mines by Canadian steel companies which had formerly sourced most of their iron ore in Ontario.

In Atikokan people who had worked for 30 years in the same mine were suddenly out of work. Many of the workers were highly skilled but now must move hundreds of miles to get new jobs. Owing to the physically demanding nature of the work, miners over 40 have great difficulty in getting new mining jobs or in switching occupations.

The economic decline in Atikokan also means that workers who were forced to leave are unable to get back their life savings which they have invested in their homes. Because no alternative industries are developed during the years of prosperity and because Ontario has no means of enforcing the obligations of multinationals which should make the communities and their workers prosperous, mine closings inevitably

impose severe hardships on miners, their families and the entire community.

The instability of family and community life in northern Ontario is dramatically reflected in the region's migration figures. The ups and downs in the economy, frequent layoffs and the relative absence of alternative job opportunities have forced people to look elsewhere for employment.

3:40 p.m.

Ideally, an economy should be built in such a way that it can provide secure employment and a stable tax base to support the essential social and physical services to the community. The problem is that the economy of northern Ontario has been allowed to develop in such a manner that it cannot possibly provide a secure foundation on which stable communities can be built. As is stated in the government's own paper *Northwestern Ontario: A Policy for Development*, the dependence on resources makes the regional economy subject to the uncertainties of world markets—the government has at least recognized that much—but, for obvious reasons, resource corporations are able to insulate themselves from the booms and busts resulting from the business cycle through their widely diversified interests.

The shareholders will still get their dividends, even though a mill upon which a whole town depends has been idled for lack of demand; but what happens to the employees, the small businessmen and their families in the community? Even in good times, northern resource-based economies offer fewer job opportunities than the provincial average.

Because of fewer job opportunities, young people, and women in particular, experience higher levels of structural unemployment, or move elsewhere, as my colleague the member for Sudbury East (Mr. Martel) referred to in regard to some young people from Hudson. Statistics Canada census figures for 1971 show that northern males had a minimum of 3.2 per cent lower participation than the provincial average, while northern women had a participation rate varying from 5.2 per cent to 8.7 per cent less than the provincial average. No wonder the north has suffered net out-migration.

Lack of a balanced economic development also makes it very difficult for single-industry communities to provide the amenities enjoyed by most southern Ontario residents. Dependence on a largely residential tax base means it is very difficult to provide even the



basic municipal hard services without levying very high property taxes and obtaining substantial provincial subsidization—unless, of course, the community endures that love-hate feudal relationship towards the company of a company town where the services are provided and owned by the employer. The current financial problems facing many northern towns like Hearst, Chapleau and Hornepayne certainly attest to this.

Even if the capital expenditures for educational, social and cultural amenities are carried out to provide facilities needed and to improve community life, it is very difficult to attract the professionals we need to provide health and social services that are taken for granted in southern Ontario communities. As a result, for example, a recent Lakehead Social Planning Council study found that a shocking 22 per cent of the children in northwestern Ontario had never received dental care. The shortage of dentists, doctors and especially medical specialists in many northern communities means residents are obliged to travel hundreds of miles for needed medical services, usually at their own expense unless it is in an emergency, thanks to the Minister of Health (Mr. Timbrell).

While the government does have, I will admit, a bursary program and a placement subsidy program to try to attract professionals to northern communities, the problem has not been solved.

**Mr. Martel:** A faculty of medicine in northern Ontario would do that.

**Mr. Wildman:** It would certainly help, because one of the major problems we have in attracting professionals to the north is not only the lack of amenities in communities in the north but also the tremendous distance doctors find themselves from their professional colleagues and the way they feel so cut off from new developments in their field.

The dependence of the north on resource extraction also means the north is dependent upon the outside metropolitan areas for a wide range of goods and services. In part because of the long distances from the metropolitan areas, northerners have to pay a great deal more for those goods and services.

For example, the food monitoring report of the Ministry of Consumer and Commercial Relations for August 1980 shows that virtually every northern community surveyed has substantially higher food prices than those experienced by Torontonians. By contrast, most southern communities surveyed experienced prices lower than the prices paid in

Toronto and the situation has not been improving very much. In some of the communities the differential has come down, whereas in others it has gone up.

It is fine for the Ministry of Consumer and Commercial Relations to survey it and tell us about it. That is useful, I will admit, but what is being done about it? Obviously, if these problems are to begin to be resolved, the provincial government must become involved in a diversification of the economy of the north. This is where we get away from what the minister likes to refer to as gloom and doom and we start talking about resolution.

The need for diversification is even admitted by the Tory government. Its policy statement indicates that, but unfortunately the Conservatives appear to remain unwilling to do more than mouth platitudes such as: "It is proposed that the government continue an economic development thrust, emphasizing diversification of the regional economy, primarily in activities directly related to the natural resource base. The central economic development objective is to maximize employment and income growth by obtaining greater economic value locally from resources by both upgrading and utilization of these resources and, where economically feasible, further processing."

That is a quote from a paper on a Northwestern Ontario policy for development, but the ad hoc case-by-case provincial response to northern needs has done nothing to alter the fundamental structural weaknesses of the northern economy, which even the Tories can't deny. The outflow of jobs and badly needed capital investment continues. The Conservative government backs away from doing what it knows is necessary because it simply does not have the political will to intervene.

The northwestern Ontario policy for development contains the following admission: "While economic diversification is a central policy objective, it is difficult to foresee a rapid diversification of the region's economy away from its natural resource base unless very extensive and costly interventions were to be made in the market economy."

They recognize that something has to be done to diversify. They recognize the government would have to intervene, but the Tories can't bring themselves to do it. They continue to genuflect before the altar of non-interventionist free enterprise by further saying: "It must be kept in mind, however, that while governments can do much to

facilitate development in the region, the extent to which such development is realized will depend very much upon initiatives taken in the private sector."

Who is ideological? The Conservatives continue to accept the cyclical boom/bust nature of the northern economy where investment decisions are private rather than public, and undemocratic rather than democratic. Development is to be left to the large private corporations, the very institutions that have perpetuated the structural weaknesses of the northern economy. A careful reading of that last quotation will reveal that the Conservative government not only pays homage to the private sector, it is also prepared to pay tribute with our money.

3:50 p.m.

Intervention for the Tories avoids costly expenditure on diversification that they admit is required, but it entails handouts of millions of dollars of taxpayers' money in incentives, grants and loan guarantees to the corporations. They have a laudable purpose. They are trying to encourage the companies to do what they should have done in the past but failed to do. Why the government feels that they are now suddenly going to turn around and do it is beyond me.

The recent round of grants to the pulp and paper companies under the employment development fund is a case in point. The extension of the grants, which are expected to total \$140 million and result in a net loss of about 600 to 800 jobs, was made necessary because, in the words of the government's own task force headed by the Ministry of Industry and Tourism, "Over the past decade the investment to modernize these plants and achieve productivity gains has been clearly inadequate."

Where have the Tories been for 37 years? The pulp and paper sector is very important to Ontario's economy, but it is even more important to the northwest. The lack of vigilance on the part of the Conservatives in ensuring an adequate amount of reinvestment in this industry belies their oft-spoken commitments to the towns depending on the pulp and paper industry.

A recent study that has caused some controversy and was done by the economics and forestry faculties of Lakehead University has concluded: "The significant margin between operating costs and projected prices for newsprint, together with the favourable rate of return analysis on new capacity, strongly suggests that this sector is capable of undertaking modernization in northern Ontario on

a profitable basis without the support of the taxpayers in the form of the recent modernization grants which were offered jointly by the provincial and federal governments."

The Premier (Mr. Davis) gets very upset when we quote that statement. He tried to argue that we were opposed to assistance to the pulp and paper industry. He ignores the fact that the vice-president of Spruce Falls Power and Paper said more than a year ago that they did not need any of these grants but, if the other pulp and paper companies were going to get them, then his company had better get them too in order to remain competitive.

Mr. Bolan: He said that again this morning on a CBC radio interview.

Mr. Wildman: My colleague from Nipissing says he still confirms that they did not need the money. I think my colleague would agree that you cannot blame him for saying, "If they are going to give it to us, we are not going to refuse it."

Mr. Bolan: You can't blame them.

Mr. Wildman: No. It appears that the government's negligence is only exceeded by Tory gullibility when dealing with the private sector. The \$140 million could, for example, have gone towards the establishment of a crown forestry corporation to begin redressing the reforestation backlog, which represents the real long-term threat to the forest products industry. Alternatively, some of this money could have been used to develop secondary industries.

Basically, the Conservatives do not really believe that the lack of diversification of the northern economy can or should be changed. The Tory view, as stated by Darcy McKeough in Sudbury in 1977, is that northerners are not being realistic if they want diversification for at least a generation. In the words of the Sudbury Chamber of Commerce, the provincial government's strategy "can best be characterized as the colonial exploitation of the natural resources of the north for the benefit of the south. It views the north as the supplier of raw materials for the Golden Horseshoe and as a market for its manufactured goods and services."

In the final analysis, northern underdevelopment has both economic and political causes. The unplanned exploitation of resources by private corporations is assisted by a government whose ideology prevents it from playing an active, constructive and direct role in the management of the region's economy. Forest and mineral resources are



publicly owned for the most part, and yet the Ontario government has chosen to develop them by selling or leasing them to the private sector.

This total reliance on private enterprise has resulted in far too much of the wealth created from the development of the north's resources being siphoned off by the private sector and used to finance projects outside of northern Ontario, the province and even the country. One only has to think back to Inco's purchase of a battery plant in Pennsylvania as an example, or their investments in Indonesia and Guatemala. Where did that wealth come from? It came from the north.

The establishment of the Ministry of Northern Affairs by this government has done and will do nothing to change this situation. In fact, if anything, it is reinforcing it. The New Democrats believe that the future of northern Ontario will and can be built on the mining and forest resource industries, but that future is in jeopardy unless these resources are developed to spur diversification to provide for economic security for northern Ontario communities.

It is not only New Democrats who are coming to the realization that economic planning and direction by government is required if a stable economic future for the north is to be established. That former noninterventionist and private entrepreneur, Commissioner J. E. J. Fahlgren, has come to the view that: "The importance of ensuring that northern development takes place in an orderly manner should not be underestimated by anyone. Today we must all face the fact that some of our northern resources are under extreme pressure and that, if economic development is not planned and properly managed, then there will not only be damage to the land but to the people who live there as well."

Apparently as a result of his work as a commissioner, Mr. Fahlgren has come to understand that northern economic development in the past has been characterized by opportunism—which is the word he uses—and that that cannot continue. He is no longer willing to leave the economic development decisions only to those in the private sector but emphasizes that all northerners must be involved in economic decision-making.

It is interesting to read Mr. Fahlgren's news release on the next phase of his study, because he admits that after 50 years experience in lumbering, transportation and mining, he has changed his opinions as a result

of his studies on the commission. He now believes that economic development must be controlled and based on sound planning. He points out that he has come to the view that "economic development can be handled in more than one way." He is no longer stuck with the ideological blinders that this government seems to be wearing, that there is only one approach to development and that is through the private sector. Mr. Fahlgren defines development control as "being able to change the conditions which promote or discourage different economic endeavours." One of the conditions he points out is the factor of supply and demand.

I urge the Tories here and this minister at Queen's Park to consider very carefully what the commissioner is saying, since his is not a spur-of-the-moment conversion but obviously a seriously considered change of opinion based on thoughtful analysis of the potential and problems of the north.

Like Mr. Fahlgren, we in the New Democratic Party believe that economic planning and control are required if we are to stabilize northern economic growth. The overall goal of the Ministry of Northern Affairs in an NDP government will be to diversify the northern economy by building a much-strengthened secondary manufacturing sector while solving the problems of one-industry towns in the process.

4 p.m.

By achieving this goal, we would flatten the peaks and valleys of the boom-bust cycle and eliminate the economic and social disparities within northern Ontario and between northern and southern communities. Northerners would gain control over their economic and social future, a control they have never had and still do not have.

New Democrats are confident in the north and in northerners. We have such wealth; we have many skills now and they can be developed further. I only wish the Tories could share this confidence in northerners.

In acting to achieve economic diversification, an NDP government will be guided by a number of general principles:

1. The benefits of northern development must accrue primarily to the inhabitants of the region.

2. Priority must be given to developments that will help make Ontario generally, and northern Ontario in particular, less dependent on outside imports.

3. Special assistance will be extended to locally owned businesses.

4. Meaningful local input into planning decisions will be required.

5. Development, particularly in the area north of the 50th parallel, will emphasize the benefits to northern native people and the recognition of the traditional lifestyles and development goals of the native people.

6. Government will assume a direct, positive and aggressive role in northern development via comprehensive planning, public ownership, crown corporations and joint venture projects with the private sector.

All the economic tools I just mentioned have been utilized not only by that Socialist government in Saskatchewan, but also by the government in that Tory bastion, Alberta. Why can't the Tory government in Ontario use them all as well?

In a manner consistent with the above principles, NDP strategy will use public ownership of the natural resource base to develop the means for further processing of the north's forest and mineral wealth. At the same time, secondary industry, such as mining and forestry machinery, related to the resource sector, would be created in the north.

New Democrats believe the social consequences of northern underdevelopment are so important that the government must use all the means at its disposal to eliminate them. Public sector development of our publicly owned resources is a natural way for the community to assure advancement of the interests of its members.

To reject the use of public enterprise to bring about a self-reliant northern economy is to perpetuate the north's role as a resource colony. The New Democratic Party rejects any such self-imposed limitation. Total reliance on incentives to the private sector, as Liberals and Conservatives have done, has maintained an economy in the corporate interest and failed to develop a diversified and stable economy in northern Ontario.

Our strategy for northern development would have two thrusts: regional and community development aimed at achieving economic self-reliance. Regionally, the first priority is to bring about stability in the resources sector by ensuring the planned development of renewable and nonrenewable resources. Planning agreements would be negotiated with private companies, with reinvestment in job creation targets required. Crown corporations would be created, patterned after Petrocan, as a window on the private sector so that the government has a role and knows what is going on in those

areas. In these ways, the government could gain some control of the pace of development and integrate into overall investment and manpower policies.

A publicly owned mining development corporation with the responsibility to explore and develop mineral resources could have ensured that Bending Lake iron ore deposits were developed, rather than the passive weak-kneed approach of this government to the fate of Atikokan at the hands of the private sector.

By the way, I wonder if the minister can report on the progress of the cabinet committee on the future of mining towns. What ever happened to that committee? I do not think this minister is the chairman. I think the Minister of Natural Resources (Mr. Auld) is supposed to be the chairman of that committee. It would be interesting, though, if this minister could report on how many times that committee has met, what progress it is making, what new initiatives it intends to take to try to resolve the boom-bust cycle in northern mining towns.

Since both the private sector and the Progressive Conservative government have failed to adequately regenerate much more than one third of the cut-over area, and while it is anticipated that another one third cannot regenerate in nature, we are now faced with an enormous backlog of barren land.

The recent Lakehead University study for the royal commission, which I referred to earlier, stated: "Fibre supplies are inadequate to support existing manufacturing capacity without major improvements in utilization or the return of large areas of forested land to industrial wood production."

Obviously action has to be taken. An NDP government will establish a crown corporation to redress the current legacy of Conservative neglect and ensure a wood supply sufficient to guarantee the future of northern Ontario's forest industry and the towns dependent upon it.

The second priority is to diversify the regional economy through the creation of a secondary manufacturing capability. First, planning and development agreements with the private resource sector could ensure Canadian content requirements for resource extraction, machinery and parts. This would encourage firms such as Jarvis Clark, our one mining machinery manufacturing success story. It would be interesting if the minister could explain why Jarvis Clark's planned expansion is going ahead in southern Ontario instead of the north.



Our great potential for import replacement in mining machinery provides us with a very high job creation opportunity. We could provide 4,580 direct jobs in the mining machinery industry with the potential of 9,160 spinoff job opportunities. The crown-owned mining machinery corporation would begin the task of turning around our trade deficit and creating badly needed secondary manufacturing jobs in northern Ontario.

Other import replacement opportunities exist in household furniture manufacturing and in the utilization of wood waste for energy, such as methanol fuels. It would be interesting to see why there has not been the kind of regional economic thrust directed by this ministry that would help to bring about the development of those kinds of industries in northern Ontario.

To develop self-reliance through local linkages and import replacement at the community level, the ministry, under an NDP government, will assist in the development of local inventories of potential and needs, in conjunction with the local communities and other ministries and agencies.

As the technical resources available to small northern communities in any drive to become self-reliant are limited, there is an urgent need for an agency to provide advice and assistance and to determine appropriate technologies for new enterprises. To this end, the New Democratic Party will establish a northern technological research and development institute similar to institutes that have been set up in a number of American states by the governments there. The emphasis of such an institute would be on local control and local resources.

I wonder whether the minister could explain why his ministry rejected such a proposal last summer. Is his assistant Deputy Minister, Mr. Aiken, correct in stating that MNA's mandate does not provide for the establishment or the operation of such institutions? If so, which government agency has such a mandate? We think the MNA should.

In our view, an initial study by such an institute would come up with the most obvious areas of import replacement at the community level, such as food production and small energy generation, to provide jobs and lower price differentials in these northern communities.

4:10 p.m.

Such an active role in economic development, rather than the present passive one, is not pie-in-the-sky; it can be realized and

financed. The stimulation in the mineral sector would contribute to increased revenues resulting from increased production while all existing provincial development expenditures would be redirected.

Also, an NDP government would move to capture a higher rate of return for exploitation of the province's resources by the private sector. The Saskatchewan experience easily dispels the old argument that to do so would scare off investment. Saskatchewan tax revenues from mineral production—excluding oil and gas, I emphasize—are much higher than Ontario's, something like 13 times as high. Mining expansion there is booming, while the industry here is stagnating.

The increased resource revenue would be used to create the Northern Ontario Tomorrow Fund modelled along the lines of the Saskatchewan and Alberta heritage funds, which this party has proposed in the House in the past. The expenditures from this fund would be directed exclusively towards northern economic and social development programs. An active development role, such as the one I have outlined, would require a complete reorganization of the Ministry of Northern Affairs and its relationship to other ministries to parallel much more the development of the Department of Northern Saskatchewan.

The minister mentioned the Department of Northern Saskatchewan in his leadoff and again today. He argued they were coming closer to the present situation we have today in northern Ontario in the Ministry of Northern Affairs. The leader of our party and a number of other colleagues, including myself met with the Minister of Northern Development in Saskatchewan last March—among other ministers of that government and the Premier—and we had some very interesting discussions.

As the minister knows, the Department of Northern Saskatchewan is a line ministry, one that not only co-ordinates government response to the northern part of that province and the communities and residents there but also does the regional and local planning, with input from the local communities. It designs programs to bring about economic and social development for that part of the province.

It is true that the Department of Northern Saskatchewan is moving to allow for more community and local input. That is more akin to a municipal component or a local services board component than it is to bring-

ing other ministries of other departments of the government of Saskatchewan into delivering services.

**Mr. Haggerty:** Are the fire trucks red or yellow now?

**Mr. Wildman:** The fire trucks are yellow, and so is this ministry when it comes to dealing with the private sector.

Much has been written about the problems of the north, and there is substantial agreement about the nature of those problems. I think we all recognize the great potential we have in northern Ontario. However, very little action has been taken to actually redress the fundamental structural barriers to the development of a more self-reliant society in northern Ontario. The New Democratic Party proposes a northern development strategy that will help northern Ontario to move from its role as a resource colony and build a more equitable, stable and just social and economic environment for its people.

The necessary human and material resources exist to make a self-reliant northern Ontario society possible. The missing ingredient is a government with a political will to make available resources work for the people of northern Ontario rather than for the benefit of outside investors. This party has that will. When we become the government of this province, the Ministry of Northern Affairs will become a vehicle for the economic and social development of a self-reliant economy and society in northern Ontario.

**The Deputy Chairman:** Does the minister wish to make any reply at this time?

**Hon. Mr. Bernier:** Yes, Mr. Chairman. I have a few responses that I am sure the members would want me to give them. I must begin by thanking my critics for their strong support of the concept of the Ontario North Now pavilion established at Ontario Place. The support they have shown for the concept is most encouraging. I think we all agree that in Ontario North Now we have a permanent northern showcase that can truly put the case of northern Ontario before the people here in southern Ontario. It is an educational process, one we know will educate the people of southern Ontario in the way which the members have addressed themselves in the last couple of hours of this debate.

I want to refer to some editorials which I am sure the members have read and which they would want me to put on the record

with respect to Ontario North Now. I refer to the editorial that was in the Sault Star. It said: "Algoma views the establishment of this type of permanent exhibition as a very positive development for northern Ontario and northern industry in particular. It will afford the north an opportunity to break down some of the misconceptions that exist in southern Ontario and provide a chance to have exhibits in our major marketplace. As a major employer in the north and in Ontario, we view this as being a good opportunity for us to work on behalf of the region and our employees."

There is an interesting comment from the little paper up in Ignace. As members know, we brought down the media from northern Ontario so they could have a first-hand look at the pavilion, see for themselves what it was all about and report accordingly. The editor of the Ignace Driftwood newspaper in a story dated August 20, 1980, went on to say: "I want to go on record as saying I appreciate the effort made by the Ministry of Northern Affairs. I have some criticism myself about certain aspects of the thing, but then why not? You think of something that was dreamed up and created in such a short period of time that would not have bugs in it or invite criticism. This is going to be a permanent thing, and the years will iron out the bugs and the creative input of the public here and in southern Ontario will fill in the gaps."

I think the editorial in the Daily Press in Timmins was one I am sure all members read with a great deal of pride. The headline was: "There is Unity in Strength." It went on to say: "Something significant has happened in the past nine months, a development of importance to every resident in northern Ontario. The power groups actually got together and worked towards a common goal. What this means is there existed, only for a short time and only because of special circumstances, a common front with dimensions merely dreamed about in the past. The lesson to be learned is that what happens once can occur again. The project which brought about this minor miracle was Ontario North Now. It is called a pavilion. It is really a cluster of nine structures of Ontario Place, the exhibition and recreation complex which sits above Lake Ontario adjacent to the Canadian National Exhibition grounds in Toronto."

In the Dryden Observer, a very well respected paper in northern Ontario, the final paragraph of its editorial dated August 20,



1980, said: "Ontario North Now portrays northern Ontario as a land of opportunity, a vast, diverse area in which there is room to develop the economy in many directions and in which people can grow. As a means of providing knowledge and stimulating interest, the theme park is a worthwhile investment."

That was the general theme and general thrust of the reaction to the pavilion. It is something that will be with us for a long time and, of course, will give us an opportunity to put our best foot forward in the months and the years ahead.

4:20 p.m.

The member for Nipissing (Mr. Bolan) made the comment that there was no consultation with the people of northern Ontario, and he made reference to the requests, I believe from the city of North Bay, for some financial assistance. He is wrong on both counts, because there was extensive consultation, and that consultation went on with various people in the municipalities. In fact, there is an alderman from North Bay who was on the committee that worked with the Association of District Municipalities, an association that takes in representation from the Federation of Northern Ontario Municipalities in the northeast and the Northwestern Ontario Municipal Association. As the member knows, they were partners with us in the development of that northern Ontario showcase.

But at no time—and this was one of the things we made absolutely clear—were municipal taxation dollars to be used in the development of this showcase here at Ontario Place. We made it very clear that we needed the support of the municipalities. They would have the responsibility of making sure that the northern thrust and the northern displays were to their liking. They would, with our assistance, go to the private sector and obtain funds from the private sector to display their side of the story—and they were very successful, I might say.

So to say that there was no consultation and that municipal tax dollars were used in the development of Ontario North Now is not correct; in fact, it is entirely wrong. I want to make that very clear, and I want the record to show that this was a joint effort by this ministry and this government and the people of northern Ontario, both the municipal leaders and the private sector.

There was some question as to the development of the pavilion itself. We did call for proposals for the concept of Ontario

North Now. Some five were submitted. The most interesting one, which was selected by the Association of District Municipalities, came from a firm in London that had some knowledge and experience in northern Ontario. The proposals received from northern Ontario—I think there were two or three—did not really meet the requirements and expectations of the Association of District Municipalities; so we went along with their selection of the firm from London, Ontario.

The member for Nipissing also questioned why we would develop such a tremendous showcase here in southern Ontario and invite people from all over the province to come and see that particular northern Ontario showcase. I say to you, Mr. Chairman, that to develop a showcase like this in northern Ontario would have been absolutely ludicrous, because the converted people are already in northern Ontario. There is no need to convince the people of northern Ontario where to live or what to do, or of the potentials of northern Ontario, because they are very familiar with what goes on. They live there because they want to live there. They want to be part and parcel of that very large, growing and expanding area of this province.

To have developed a showcase in Cochrane, Moosonee, North Bay or Sudbury would not have fulfilled the desires or ambitions of the people who live in northern Ontario in trying to change the attitudes and the misconceptions some of the people in southern Ontario have about the north. Our approach is obvious to get the biggest bang for our buck—and we got a big bang for our buck, because well over 80,000 people visited Ontario North Now in the short time it was open. Of course, next year we will go on to attract even greater visitations from all across the province and the United States and around the world.

Sure, there were weaknesses in our presentation but, as I have said so many times, we invite constructive criticism with regard to the displays in that pavilion. We know there were gaps; we know there were weaknesses. We have received many complimentary remarks with always a little suggestion as to how we can improve, and we are accepting this with a great deal of enthusiasm. The special review committee on the thrust of Ontario North Now is meeting on an ongoing basis, reviewing all the criticisms and suggestions that have come in. We are having a post-mortem, so to speak; thus, many of the suggestions to which the honourable

members have made reference will be incorporated in the displays next year.

Recognition of the trappers is a typical suggestion we received from other areas; while they were not present or were not displayed in the manner that they or the member for Nipissing would have liked, I can assure him this ministry is cognizant of the contribution that the 10,000 trappers of this province make to the economy of northern Ontario.

It was our ministry, in co-operation with the Ministry of Natural Resources, that developed a more humane trap, something we have been striving to obtain in this province for many years. The Ministry of Northern Affairs showed an interest, put its money where its mouth was and got on with the job of finding one. Now we have one that I am sure will be used by the trappers of this province. So, in all likelihood, they will share in a greater way in the display we will have in Ontario North Now next year.

The member for Nipissing made some reference to section 113 as it relates to Silverfields in Cobalt. The Minister of Natural Resources, as all members are aware, is down in committee at this time defending the spending estimates of his ministry. I strongly suggest the members go down and ask the question. They are free to do so.

**Mr. Bolan:** What is your policy? What did you do in cabinet?

**Hon. Mr. Bernier:** I would like to tell the honourable member what I did in cabinet, but what we do and say in cabinet is confidential. I can tell him that the Minister of Natural Resources can defend his policy. Certainly I was part and parcel of that decision; so I would encourage him to go down and ask the question of the minister who is directly responsible for that issue. While I had input into that decision, the decision was made and I make no bones about it.

**Mr. Bolan:** What was it? Why don't you speak on it?

**Hon. Mr. Bernier:** Go down and speak to the minister. He has made several statements in this Legislature, and the honourable member is trying to use it for political purposes. He is trying to bend and twist and whipsaw one minister against another, and he is just not going to do that.

Interjections.

**The Deputy Chairman:** The Minister of Northern Affairs has the floor.

**Hon. Mr. Bernier:** The honourable member also raised the question of the Ontario

home renewal program. He was very complimentary to that program, and certainly I appreciate his comments on that.

**Mr. Bolan:** It was complimentary to the government, not to your ministry.

**Hon. Mr. Bernier:** Wait until I finish. The member is not going to get away that easily. I think he is not aware of what my ministry is doing in northern Ontario as it relates to OHRP. We, in the ministry, who are very efficient, have had 29 northern affairs officers administering many parts of OHRP throughout the north. We are very much aware of the need to continue that program and to improve it. I can tell my friend right now that I will support any request the Minister of Housing (Mr. Bennett) makes with respect to expanding OHRP for this province, because I agree with the member for Nipissing that it is a very worthwhile, positive program, and I can support with enthusiasm anything that will improve the housing stock of our province.

4:30 p.m.

The member mentioned deregulation and the high freight rates in northern Ontario. He is aware that my colleague the Minister of Transportation and Communications (Mr. Snow) tried for some time to bring in deregulation in the trucking industry. However, because of the pressure from the opposition during this minority government, that was not possible. The thrust and the urgent desire of that particular minister and that ministry to do something about the trucking rates in northern Ontario were thwarted by the opposition members. The people in northern Ontario are aware of our efforts to do something about freight rates. At one time, as members are aware, we did bring in an 18 per cent reduction in the Ontario Northland Railway freight rates.

**Mr. Wildman:** It did not do any good.

**Hon. Mr. Bernier:** It did not do any good. The member for Algoma recognizes that, and I appreciate that.

**Mr. Bolan:** It didn't do you any good. Why didn't you make a better effort?

**Hon. Mr. Bernier:** The thing is, we made an effort. It cost this government and the ONTC several million dollars, but it was not passed on. It is all right to criticize, but we also need some constructive criticism and some ideas.

**Mr. Wildman:** Why didn't the federal Liberals lower the CN and CP rates?

**Hon. Mr. Bernier:** You cannot do that. If the member for Nipissing were really sincere,



what he would be saying to the federal government is that we in north—

**Mr. Bolan:** Talk to the issue.

**Hon. Mr. Bernier:** If I could get his attention, what the member for Nipissing should be saying to his kissing cousins or his brothers in Ottawa is that we should have—

**Mr. Bolan:** You had your chance, but you jokers over there blew it. Your cousins blew it.

**Hon. Mr. Bernier:** —a special Crowsnest type of agreement for northern Ontario. The member for Algoma agrees with me. If the federal government were interested in doing something about freight rates in northern Ontario, then it should look at northern Ontario as that region that really needs some special attention—something like the farmers in western Canada received years ago.

**Mr. Bolan:** Did you approach Clark on that when he was in office?

**Hon. Mr. Bernier:** If the Liberals had left him there long enough, we would likely have had something.

**Mr. Bolan:** He was there too long.

**The Deputy Chairman:** The member for Nipissing will have his opportunity to ask questions in a few moments.

**Mr. Wildman:** We have the highest rates in Canada, between Sudbury and Thunder Bay.

**Hon. Mr. Bernier:** That is right. The federal Liberals have now elected 15 members in northern Ontario. I can say right now that we will not see changes with regard to those freight rates. They will sit idly by for the next four years.

**Mr. Wildman:** They sat idly by when CP took the Budd car off the White River to Sudbury run.

**Hon. Mr. Bernier:** That is right. They never said a word. There was more noise from this government than there was from the federal members up there.

**Mr. Wildman:** You were not successful either.

**Hon. Mr. Bernier:** No. But we tried.

The member for Nipissing made a plea for TVOntario to be extended into the Parry Sound-North Bay area. I am particularly pleased that he asked that question of the Minister of Culture and Recreation (Mr. Baetz) today, because it is an area where I know he and I would like to see service extended. There is no doubt that it is a question of capital dollars but, as the minister said during the question period today,

it is more than just the capital dollars. it is the ongoing cost.

I am sure he has that in hand and is aware of it. I will be doing everything I can to lean on that minister and the government to extend at least TVOntario into those areas that are not now serviced in Ontario on a regular basis.

I was particularly pleased at the member's comments with regard to the Field disaster and that he was very much aware of the input my ministry had there. The federal-provincial study, to which he referred, is something I have not made myself familiar with, but certainly I will. Nevertheless, with that behind us, I think we have the situation in hand and resolved as it relates to the many people in Field who, I am confident, have accepted the problems of moving and the upheaval they experienced and now are much more comfortable than they were in the past and are away from the fear of possible floods that may occur in the future.

As northerners, we can take pride in the manner in which that was handled. As I said in my opening remarks, I have to compliment the assistant deputy minister of the northeastern region, Herb Aiken. I am pleased that Mr. Aiken is with us today, because he did just an outstanding job in pulling that issue together and resolving it to the satisfaction of all the people. He went beyond the call of duty in many instances in doing such a good job.

It is always interesting to have the input of the member for Algoma. I have difficulty sorting out his position on some issues. I have the feeling that he was given a prepared text by the research staff, a document that sounded like the Regina Manifesto for northern Ontario. But it was obvious that his own feelings were seeping through at times, perhaps because he wanted to get his own blueprint and his own fingerprints on the record. I sense that he was forced to say some of the things he would not normally say if he were delivering a speech off the cuff, as the member for Nipissing did, without a prepared text. He went on espousing the NDP doctrine about crown corporations, planning and all the gobbledygook that is supposed to look after our problems from now to eternity. Nevertheless, the contribution is always appreciated.

**Mr. Wildman:** Even though you will pay no attention to it.

**Hon. Mr. Bernier:** It seems to me I have heard that speech before, I think from the

member for Sudbury (Mr. Germa). Even the words were the same.

**Mr. Wildman:** Nothing has changed. Everything is the same.

**Hon. Mr. Bernier:** He could change the paragraphs a little and change the thrust every once in a while.

The honourable member in his remarks talked about regional planning. We have that in place now, but this ministry and this government are not waiting until all those plans are in place. My God, we can study the world to death. There are studies going on. The land-use plan is going on in the Ministry of Natural Resources. We have the Royal Commission on the Northern Environment which is looking at land north of the 50th parallel.

**Mr. Wildman:** Do you agree with them?

**Hon. Mr. Bernier:** I think we will wait for the recommendations to come down. I have great admiration for the commissioner himself. He hails from the great riding of Kenora, as the member knows. He has a lifetime of experience in northern Ontario; so I am sure he will have something very positive to say when these recommendations come down.

**Mr. Wildman:** He certainly sounds very positive right now.

**Hon. Mr. Bernier:** Yes. He is on the right track as far as I am concerned. We have the municipal advisory committees that look after regional planning for the municipalities. We have the various task forces that will be established in northwestern Ontario and will deal with the specific issues of the northwest as related to those fundamental issues to which the member referred, like import substitution. I am sure the member is aware of the very broad studies we have in place at the present time with the Ministry of Agriculture and Food which relate to import substitution for fruit products across northern Ontario. I am anxiously looking forward to the report of that committee.

The member made reference to the lack of information as to the role of the ministry. He did not know exactly what we were to do, how we were to co-ordinate and just what we do outside of looking after the needs of all those people in northern Ontario, besides delivering fire trucks with the honourable member to Hawk Junction. When we were there he stood up beside me and spoke at great length about what a great ministry and what a great government we

were; responding to the needs of that little community without any delay.

The member also was in Blind River just a few weeks ago with my colleague the Minister of the Environment (Mr. Parrott). They were opening up a \$1-million treatment plant there. It was interesting to see and hear the reports I received about the member for Algoma's extolling at great length about what a great minister the Minister of the Environment is and what a great ministry he has, looking after the pollution and sewage needs of northern Ontario. It was great. He was very complimentary because a \$1-million development went into his particular riding. In fact, the \$1 million came from the Ministry of Northern Affairs. We put up the money, and I was glad that he recognized that.

4:40 p.m.

I want to get back to the role of the ministry. I want to read into the record six or seven paragraphs in the hope that the members will look at them and digest them as the report is in Hansard. It will be a guide for them for their future digestion or knowledge.

**Mr. Wildman:** I am sure we will all get indigestion.

**Hon. Mr. Bernier:** It will go down smoothly, really.

The role of the Ministry of Northern Affairs is:

1. To develop and recommend policies and programs that respond effectively to the priority problems, needs and opportunities of northern Ontario;

2. To ensure that the requirements of northern Ontario are considered and, where feasible, reflected in government policy development, program planning, priority setting and resource allocation;

3. To improve citizen awareness of and access to government programs and services in the north;

4. To facilitate citizen participation in the development of policies, programs and specific projects for the north;

5. To administer specific programs designed to assist the development of northern communities and regional facilities and services;

6. To co-ordinate government programs and services relating to northern Ontario;

7. To undertake projects into all aspects of the economic and social conditions of all areas of northern Ontario; and

8. To establish a stronger provincial government presence in the north through geographical decentralization of ministry pro-



gram responsibilities and decision-making authority.

That lays out in clear, concise language the role of the Ministry of Northern Affairs. I wanted to put it on the record for the benefit of the members opposite so they can refer to it on a regular basis.

I was most pleased to listen to the member for Algoma and his dissertation about the great future there is for northern Ontario should the party of which he is a member come to power. I hope he lives long enough.

**Mr. Bolan:** Get the petition for bankruptcy ready.

**Hon. Mr. Bernier:** That's for sure.

I was interested in the member's comments about the long-term future. I would think that 40 or 50 years from now he might be around to implement some of those ideas. However, I am sure the member's people from the Algoma riding will be disappointed that he did not use his opportunity during his opening remarks in questioning the estimates of the Ministry of Northern Affairs about the great development that has occurred in his riding. I refer to the Hornepayne town centre complex. He made no mention of that magnificent facility of which he and the people in Hornepayne are so proud. Not once did he mention it.

It is disappointing that the member would spend so much time expounding the NDP platform and the Socialist propaganda that would make a welfare state of northern Ontario, similar to what has happened in Saskatchewan. Saskatchewan is just a haven for civil servants, and they are scrambling right now to get out from underneath. In fact, the Premier of Saskatchewan told the Minister of Northern Saskatchewan, "Look, change that system up in northern Saskatchewan; it has to change." He made that point to him; it is a known fact, and he is working on the changes. He is looking at Ontario's structure.

In fact, the minister—Mr. Hammersmith, is it?

**Mr. Wildman:** Hammersmith.

**Hon. Mr. Bernier:** Mr. Hammersmith, yes; he was in my office a few months ago looking at our transportation system in northern Ontario.

**Mr. Ashe:** Looking for guidance.

**Hon. Mr. Bernier:** Yes, he was; that's right. He was very impressed with the air transportation services we have established in northern Ontario, and they want to model theirs after ours. It is that kind of soul-

searching they are doing now in northern Saskatchewan, and we are going to help them. We think they need help; we know they need help. In the last three or four years we have had a tremendous amount of experience in how to deliver services to the remote areas of a great province like ours. We are going to exchange and share the experience and the knowledge we have gained in that short period of time. I am sure we are going to learn more.

I was also disappointed the honourable member did not make reference to the extension of the northern service in Hornepayne, the new airstrip at Hornepayne.

**Mr. Wildman:** You mentioned it.

**Hon. Mr. Bernier:** My friend is the member for Algoma. I am sure the people will be disappointed to learn it was not even mentioned. Even the leadership role my ministry played in Missanabie was not mentioned—that simple little thing.

**Mr. Wildman:** I am going to raise that. You better be ready for that one.

**Hon. Mr. Bernier:** It was a simple little thing. It was a small community we moved in.

**Mr. Wildman:** If I were you, I would not take credit for what's happening there.

**Hon. Mr. Bernier:** We went in there. The member could not get any other ministry to move in. We went in there and assisted those people. We are going to assist them some more. But they will not go to a local services board. They are not interested in that. We think they should go to a local services board, because that would be the answer. But without any organization at all, just a community spirit, we went in and tried to pull it together. But there was no mention of that by the member. I am disappointed he did not bring it up. He did not even mention the assistance we gave to Hawk Junction.

**Mr. Wildman:** I mentioned that last year. Why should I mention it this year?

**Hon. Mr. Bernier:** But those little communities will look to the member's party for the type of leadership the Ministry of Northern Affairs has given them. We should not be doing all these things. I mentioned, of course, the assistance we gave to Blind River.

I have a couple of areas I hope the member for Algoma will spend some time on, because I know the people back home will be reading these comments and will be

looking for some recognition of their respective communities and at the advancements they have made with the co-operation and assistance of the Ministry of Northern Affairs, the improvements in the quality of life in the small communities of the member for Algoma's riding.

**Mr. Warner:** It has been the best representation they ever had, and you know it.

**Hon. Mr. Bernier:** I would leave that point with him. I am sure we will hear more as the estimates proceed.

The member made some reference about the financial assistance this government is making to the pulp and paper industry. I have no difficulty in joining with the Treasurer (Mr. F. S. Miller) and the Minister of Industry and Tourism (Mr. Grossman) in seeing what a great program it is for northern Ontario.

Seven years ago, when I was in the Ministry of Natural Resources, the pulp and paper industry was in tough shape. It is a cyclical industry. We have all heard that before. But they were in extreme difficulty because of the competition from the southern United States and other parts of the world. At that time, seven years ago, we commissioned a special federal-provincial study group. I personally went to Ottawa on a number of occasions to meet with the federal minister. Two or three of the Ontario cabinet ministers went to Ottawa to try to resolve this problem we knew was going to be before us in the not-too-distant future. We had to come up with some kind of a program that would make these pulp and paper companies comply with the environmental requirements of this province which are second to none on the North American continent. We wanted a clean environment.

**Mr. T. P. Reid:** You do not really believe they are doing that.

**Hon. Mr. Bernier:** We want a clean environment, we want the jobs in place, and we want those industries to be competitive on a worldwide situation.

**Mr. Wildman:** They can do it themselves.

**Hon. Mr. Bernier:** They cannot do it themselves. That was proven by the study. The study is there. In fact, my present Deputy Minister, Art Herridge, was a member of that study group. He recalls well the agony they went through in looking at all the plants in Quebec, Ontario and eastern Canada as a whole. So the money we are now putting into the pulp and paper industry is something we as northerners should take

pride in. We should all be jumping on the bandwagon because it is bringing in millions of dollars of the private sector money. The job is being proven in northern Ontario. If you take what is going into the town of Dryden alone, there are 650 additional employees for the next three or four years in the development of a major new mill.

**Mr. T. P. Reid:** They could have done that without the grants.

**Hon. Mr. Bernier:** They could not have done that.

**Mr. Wildman:** The vice-president at Smooth Rock Falls said they would not need them.

**Hon. Mr. Bernier:** Mr. Chairman, on this side of the House we have a certain responsibility to guarantee those industries will be in place—

**Mr. Wildman:** I think he is on your side. He certainly is not on ours.

**Hon. Mr. Bernier:** —and those jobs will be in place. The only way we are going to do that is guarantee that we have mills that can compete.

**Mr. Wildman:** Are they going to have timber?

**Hon. Mr. Bernier:** They'll have timber. I am not worried about that. That is secondary. That is not even a problem as far as I am concerned. I have said that many times. But the modernization of the pulp and paper industry in eastern Canada had to be acted upon; there was no question. The federal government recognized this because they are into it on a one-third basis with the provincial government. It is two thirds provincial and one third federal. So it is not something that was taken lightly. It was taken in the best interests of the pulp and paper industry and most of that industry is located in northern Ontario. Those jobs will be guaranteed; the people will be in place. They will have no fear of meeting their mortgage payments.

4:50 p.m.

I am pleased the member for Rainy River is with us. He will be there, I am sure, when the appropriate time arrives to compliment this government on what we are doing for the pulp and paper industry in his community. But the jobs will be guaranteed—that is most important.

Go to the towns of northern Ontario—Iroquois Falls, Dryden, Thunder Bay, Kenora, Fort Frances. If you had gone six months or two years ago you would have felt the uncertainty. There was a mood in



the community that was difficult to put a finger on but it was there and it was uncertainty about the future of their jobs—where were they going to be five or 10 years down the road. Now that future has been assured because of the actions of this government.

I did speak about the planning requirements of the government and what we are doing with regard to the royal commission and the Municipal Advisory Committee. I am particularly pleased that the member for Algoma recognized the faith and strength of northerners themselves to meet their problems head on to achieve the goals they want to achieve. It is because of that strength this ministry can move ahead and provide the answers to their long-term problems.

I did speak at some length about the Saskatchewan experience. I call it a total disaster in terms of economic development; there is no question about it. There are tombstones of disaster across northern Saskatchewan.

**Mr. Wildman:** Their mining industry is a lot stronger than ours.

**Mr. Warner:** Less than four per cent unemployed; balanced budget.

**Mr. Chairman:** Order.

**Mr. T. P. Reid:** And no people.

**Hon. Mr. Bernier:** And no people, that is right. A total disaster—but they will change. I think they have seen the light now.

The member questioned the present position of the cabinet committee on single-industry communities. That question has been answered many times in the Legislature. I am certainly not going to stand in my place here and lead you to believe that I or anybody in this Legislature has the answer to the long-term viability of the single-industry community. There is just no simple solution. We are finding that out in the plant in Atikokan.

The member made the comment that “suddenly they found they had no jobs.” That statement is not factually correct. I happened to be there 30 years ago when they turned on the pumps to drain Steep Rock Lake. I was a member of the Hudson Chamber of Commerce. We were invited down for the big ceremony because it was a big event in northern Ontario. I heard the officials say, “We have 30 years of ore here.” They knew at that time. I am sure the member for Rainy River will agree with me the people knew the ore would finally be exhausted and accepted the fact.

**Mr. Wildman:** And why were you not developing something?

**Hon. Mr. Bernier:** We were working very closely with the community. We are still working. As a lead ministry we are working very closely with that community to try to attract new industry and to diversify the economy. I think those are the words the member has used so many times. But it is not easy, as we are finding out.

This government has moved in Atikokan. There is the road to Bending Lake, up to Ignace; the development of a new hydro project; the assistance to the industrial park area and the assistance to an industrial mall. In fact, last week I sat out here in the east lobby with the reeve of Atikokan along with his industrial commissioner, Brian Ross to review at great length what they were trying to do. In fact, we are funding the industrial commissioner's office in Atikokan and providing them with all the tools we have to attract new industry to Atikokan.

It is not easy, there is just no question. I am pleased the population of Atikokan has not decreased that much. It is down something like about 500, and out of a total of 6,000 or 7,000 it is not bad. Some of the people who left and went out to western Canada have since returned because they have their homes there and they will take a little less salary in other jobs. Believe me, there is no easy answer to the long-term viability of the single-industry community.

I think I spoke about the import substitution studies with relation to farm products. I do not want to repeat that. I think I have touched on most of the issues that the honourable members raised during the opening statements. If I have missed any maybe they can bring it to my attention and I would be glad to try to answer or provide answers.

**Mr. Chairman:** That completes the leadoff statements.

On vote 701, ministry administration program; item 1, main office:

**Mr. Bolan:** Mr. Chairman, I think in view of the fact that when we started doing the estimates last year the minister led off with a reading of his horoscope, and since I was kind enough to draw the minister's horoscope to the attention of this chamber last Thursday, I think for the sake of continuity we should talk about today's horoscope of the minister. It is very interesting and very appropriate. That is why I am sure it is in order. I am reading again from the Toronto Sun. It says: “Leo: Unfortunately, today you are apt to be more of a talker than a

doer. Your conversations will be interesting, but actual results may be negligible."

I am sure he did not write it, but in any event I just thought I would draw that to the attention of the chamber because I think it really is a good analogy between that and what the minister has been telling us today.

I just have a couple of questions under this item. There are two information officers in my riding.

**Hon. Mr. Bernier:** Information officers?

**Mr. Bolan:** There is one in North Bay and another in Sturgeon Falls. Information officers, or whatever these people are called—

**Hon. Mr. Bernier:** Northern affairs officers.

**Mr. Bolan:**—northern affairs officers. I call them information officers or spies, Leo's spies.

I would like to know how many inquiries on a daily basis go through those offices? What is considered to be an inquiry? For example, if someone drops in and picks up a pamphlet on Ontario North Now or anything else which may be there by way of information, is the mere opening of the door, popping one's head in and asking for a pamphlet an inquiry? Is a telephone call to get the weather report an inquiry? What amounts to an inquiry? What would be the average of inquiries which go through the offices in North Bay and Sturgeon Falls in a year? I realize we can't have that answer right now. I am sure it can be obtained for us.

Aside from being in the offices on a regular basis and taking inquiries, what other functions do these officers perform? Do they go out and talk about programs of the ministry? Do they try to inform the people? Aside from when people go in to see them, do they try to inform people of what programs there are for northern Ontario and northern Ontario residents?

5 p.m.

Perhaps over the next few hours of these estimates this information can be provided for me. In particular, I would like to know the number of OHRP applications which were approved and completed out of the two offices in my riding, the office in North Bay and the office in Sturgeon Falls. I realize the office in North Bay takes in more than just the Nipissing area. It takes in part of Parry Sound, which has some unorganized townships, as well as points down as far as Algonquin Park. I realize the officer does have a large area, but I am

interested in finding out the number of applications which were processed, approved and completed in 1979 and which ones to date could be placed in that same category.

The other thing I would like to talk about is a question of health, which I think properly comes under this vote. I want to know how your ministry co-ordinates with the Ministry of Health to provide medical services and facilities in remote areas of northern Ontario or areas which are removed from a medical service centre.

I think the best way to exemplify this is to relate to you a situation we have in my part of the riding. We have a small community which borders on the Ontario-Quebec border called Thorne. Some three years ago, these people approached me to try to get some form of medical service for their community. Their problem was getting into North Bay to see a regular doctor. We made a survey of the area and we found that 45 to 46 per cent of the residents of that community and another community nearby were senior citizens; so there was a definite need for them to see a doctor in North Bay on a continuing basis.

The problem was one of transportation. Thorne is 40 miles from North Bay. The only means of public transport they had was a bus which passed through Thorne at three o'clock in the afternoon. There was another bus that left North Bay for Thorne at 3:45; so it was impossible to do the trip in one day. Some of them had to take taxis while others formed other forms of pool transportation. Basically as a result of the problem in getting to North Bay for medical attention, the matter was brought to my attention.

I contacted Dr. Copeman, who immediately came up. We organized a meeting which was held at the school in Thorne. He set about a course of action which has turned out to reach a certain point where somebody else's help is now needed. He approached St. Joseph's Hospital which agreed to set up a medical service in Thorne. The doctor would be provided from the air base at North Bay and would go to Thorne once or twice a week. He would co-ordinate with St. Joseph's with respect to nursing staff and co-ordinating that end of it.

Where we ran into the problem was in finding a building or a place where the service was to be carried out. The sad part about it is that once a place is located, once the services can be held in a certain building, then the entire cost is paid for by the Ministry of Health. What we have right now



is for all intents and purposes a system which can be put into effect tomorrow, but we don't have a place. I wrote to the Minister of Health (Mr. Timbrell) about it. He wrote back to me and said it is up to the local community to find its own place.

The northern affairs officer in North Bay is well aware of this as I have discussed it with him. Basically what I would like to know is whether or not your ministry can do something to alleviate this problem? In view of the fact that it has Ministry of Health approval, the project is sound. The project is feasible. They are to pay the entire operating costs, everything. What we are asking of your ministry is to co-ordinate with the Ministry of Health to get some kind of a building there. Whether it will be a portable, I don't know, but we need some kind of facility in that community so that the service which is very badly needed can be effected. I would ask you to look into that because it certainly is something which is deserving of your immediate attention.

The other thing on health which I would like to discuss very briefly is the question of air ambulance service for northern Ontario. I think the tenders are out right now. They have been out for some time for the air ambulance service. Don't turn this into political opportunism. I say that because you will understand exactly what I am talking about. In August, when it was thought that a fall election was imminent in Ontario, there was a flurry of activity to get these tender calls in real fast so the Minister of Health, or whoever, during the campaign would be able to point out that government is providing another excellent service for the people of northern Ontario. You haven't done it to date and you haven't done it to date because of political opportunism, but let me tell you this, you are playing with the lives of people.

Number one, you acknowledge that a northern Ontario air ambulance service is necessary. We have seen the tragedies which took place in northwestern Ontario. There have been at least three deaths in the past year in northwestern Ontario associated with poor air ambulance service. You recognize that and it would appear to me at this time that you are now playing politics and holding back making an announcement of an air ambulance service for northern Ontario until next spring. I hope that will not happen. I hope your government will have the guts to stand up and make an announcement now.

**Hon. Mr. Bernier:** It's totally irresponsible for that member to stand up and to charge

that politics are being played with regard to an air ambulance system to be established in northern Ontario. It's absolutely irresponsible.

**Mr. Bolan:** It is the truth, Mr. Chairman. It is the truth.

The other thing is this: When you decided to look into air ambulance service you didn't ask any questions or make any inquiries of the existing provider services. As a result of this the Ontario Hospital Association, region number 11, submitted a brief. You received a copy of this brief. You are here, right underneath Mr. Havrot's name. That's right. Mr. L. Bernier, Minister of Northern Affairs.

This brief set out for the government or for the Minister of Health what should be done to provide adequate air ambulance service. The chairman of this association is Mr. G. J. Gagnon of Hearst, and I would like to read to you the letter which he wrote to the Minister of Health on September 12:

"Dear Mr. Minister:

"We have attached herewith a brief which summarizes the concerns and recommendations of the providers in OHA region number 11. The brief outlines some of the common problems experienced with long distance transfers and provides suggestions and/or recommendations that may serve to alleviate and hopefully eventually eliminate similar problems in the future.

5:10 p.m.

"The main reason we come to you, Mr. Minister, is simply because we have been unsuccessful after numerous attempts to obtain concrete results of any kind through normal channels. Since the matter is of utmost importance to the welfare of all the people of northern Ontario, we felt we had no other recourse than to appeal to you directly in order to seek your personal intervention. We would have preferred to deliver this document to you in person. However, our efforts since July 12"—exactly two months preceding the delivery of this letter—"to arrange an interview with you have been unsuccessful, leaving us no alternative but to forward you a copy by mail."

The brief goes on—and I just want to read the preamble, which will take about two minutes—it is a brief which was submitted to the Honourable Dennis Timbrell, Minister of Health, by the Ontario Hospital Association, Region 11, Northeastern Ontario:

"We firmly believe that the province of Ontario is justified in its statement that the health care system in Ontario is among the

best in the world. This assessment is based on the fact that the vast majority of Ontarians receive the ultimate in health care services. They have ready access to regional, district and provincial level facilities providing a full range of high quality diagnostic and treatment services.

"Unfortunately, the secondary and tertiary level services are not, nor can they ever be fully, equally distributed throughout the province. As a result, the residents of relatively sparsely populated northern Ontario are in large measure dependent on services centralized in the more highly populated southern parts of our province.

"This fact creates the need for an efficient, comprehensive and responsive patient air transfer system to ensure that northerners have the same access to the full range of health care services enjoyed as a matter of right by southern Ontarians."

[My reason for mentioning this brief to you—as I say, you have a copy of it—is the fact that the Ministry of Health, when looking into the question of air ambulance service for northern Ontario, did not consult the existing provider services in northern Ontario. They did not go to the hospitals and say: "How would you co-ordinate a transfer? How would the nurse get down there? How would she get back from there? Who would pay for her if she were to stay overnight in Toronto?"—all these many things which really would be essential to create an efficient and sound air ambulance service.

I suppose, as usual, it was left to some bureaucrat down in southern Ontario who has never been north of Finch Avenue to prepare something on it. In any event I would urge you to speak to your cabinet colleague and to point out to him the necessity for an immediate air ambulance service for northern Ontario. We are aware of the problems, we have seen tragedies and fatalities occur over the past year in northwestern Ontario as a result of poor air ambulance service, and I would think it is incumbent on this government to try to narrow the gap in services as much as it possibly can. It certainly should be done in this particular area.

**Hon. Mr. Bernier:** Mr. Chairman, I neglected to make reference to the member for Nipissing's remark with respect to the pronunciation of my name. During his opening remarks, he made some snide remarks about my Anglo-Saxonizing of my name. I am going to send the honourable member a copy of the speech I made in this Legislature in

connection with the Quebec referendum. I will send it to you in French and in English so you will have it for your perusal. It makes excellent bedtime reading—

**Mr. Wildman:** Puts you to sleep, does it?

**Mr. Bolan:** You might also give it in French one of these days.

**Hon. Mr. Bernier:** Yes, if I could, I would. I regret that I do not speak French as fluently as I would like, but when I hear some people trying to speak French I am glad I do not even try, because they really murder the language. I must admit I spoke nothing but French when I was a young preschooler, but not since moving to northern Ontario shortly after coming from Quebec and living in a community that is 99.9 per cent English.

I suppose those people did call us Bernier in the French way. My daughters like the French Bernier; they think it has more of a ring to it and sounds much more pleasant than the English Bernier. My voters—and there are something like 54,000 of them in the Kenora riding—all know me and refer to me as Bernier in the English manner. That pronunciation of the name was not my choice. I suppose as a French-Canadian I would sooner have the French Bernier than the English Bernier. Nevertheless, I make no apologies for the way my name is pronounced. My voters know me, and in a bilingual and multicultural society I assure you I have no difficulty moving around.

The member has asked some very interesting questions about our northern affairs officers and the role they actually play. It is broad and very encompassing. I am going to get the terms of reference and have them sent over to you. I will also get some information as to the number of inquiries they receive. I think we were sending these to the members several years ago. It was all documented and numbered, but we felt it was a waste of time giving you a monthly report as to the number of people who visited a northern affairs office. In the role of the ministry which I put on the record, there is a paragraph there about it. Many of those paragraphs do give directions to the northern affairs officers. They have the responsibility to be broad, to be all-encompassing as it relates to the delivery of Ontario government information and programs.

I would invite the members to visit their northern affairs officer and discuss his role with him. He would welcome you to his office.

**Mr. Bolan:** Mr. Levis is a personal friend of mine; I visit him all the time.



**Hon. Mr. Bernier:** We have excellent people and they are hand-selected. As I said in my opening remarks, this year marks the tenth anniversary of our northern affairs officers in northern Ontario.

**Mr. Bolan:** Dick Smith got him the job.

**Hon. Mr. Bernier:** Yes, that could well have been. He is an excellent choice. He would certainly be glad to give you any information you would like on the numbers and how he reports them. I will also try to obtain for you the number of applications that were processed in your two offices. That will be forthcoming to you as soon as we can get to it.

The question concerning the co-ordination of health services in northern Ontario is something we in the Ministry of Northern Affairs are very much aware of. It was one of our priorities shortly after becoming a ministry, because we recognized this as one area that we could immediately embark on and get some results in answer to the many requests and requirements of the far-flung reaches of northern Ontario.

I might say the co-operation we are getting from the Ministry of Health is second to none, from the minister right down through the whole staff. They are very responsive and very receptive to the suggestions we make with respect to the better delivery of medical services in northern Ontario. We have the bursary program, the mobile dental coach program. The member made reference to medical clinics and his desire to see one established in the small community next to the Quebec border. I am not sure if that is an organized or an unorganized community.

**Mr. Bolan:** Unorganized.

**Hon. Mr. Bernier:** That will present some problems for us.

**Mr. Bolan:** That is why we are coming to you.

**Hon. Mr. Bernier:** Yes, I know. We will deal with those problems. There is not a problem in northern Ontario we do not try to put our arms around and try to resolve.

**Mr. Bolan:** That is what you are saying; now here is the test.

**Hon. Mr. Bernier:** We will do it, but we have to have some organized body or some group we can work with. There has to be some cohesive group there that has some desire to do something for itself too.

We have a medical clinic assistance program in northern Ontario now where the

community will come forward, after they have had some consultation and support from the Ministry of Health to establish a medical clinic, and we will assist up to two thirds of the cost.

5:20 p.m.

Today, I should be and would like to be in Rainy River, and I regret the honourable member for Rainy River (Mr. T. P. Reid) is not there to share with the community the joy and excitement of the official opening of their new medical centre.

**Mr. Wildman:** So you do like the local member to come?

**Hon. Mr. Bernier:** Oh yes, by all means we invite the local members, because I know they are supportive of what we do on behalf of their constituents and their people.

We do have an assistance program for the development of medical clinics where there is local initiative and some ongoing body to accept the responsibility; that is what we need.

**Mr. Bolan:** There has been one for 20 years. They are incorporated and everything.

**Hon. Mr. Bernier:** We will be glad to look under the isolated communities assistance fund. We will look into that suggestion very carefully to see if there is some way we can assist the local people, because that is certainly our role.

The honourable member made reference to the air ambulance service that was announced in the throne speech. I have to take strong exception to it, as I find it very distasteful that he would make any reference to the establishment of an air ambulance system relating it to any political motives. I find that unbecoming for a member of this Legislature. We are dealing with people's lives and we are moving as quickly as we can to come up with a dedicated air ambulance system, second to none on the North American continent.

We have a service in place. Nobody in northern Ontario can be denied air ambulance service at this time, but they are not dedicated aircraft like the ones announced in the throne speech. We want to improve on what we have and I think there is room for improvement. We have been getting advice from all over northern Ontario, believe me, it has been coming in in reams because the private sector has been involved up to this point and everybody seems to be an authority on the development of an air ambulance system.

We are working out the criteria now with the co-operation of the Ministry of Health, which is the lead ministry. We will be seconding some of our key people in the Ministry of Northern Affairs to the Ministry of Health to make the final decisions and to be there for a period of time to make sure the thrust of the desires of northern Ontario are answered. I think that is very important.

I can assure the honourable members from northern Ontario that the Northern Affairs ministry will be actively pursuing all aspects of an excellent air ambulance system, one that will not just move people to the major medical centres in Toronto or Winnipeg. I think the minister made it clear the other day when he said, "If we did that, the long-term results would be no specialists and a poor medical delivery system in northern Ontario."

We have excellent hospitals in Timmins, North Bay, Sudbury, Sault Ste. Marie and Thunder Bay. We have many specialists located there. People from my area go to Thunder Bay and that could be increased, so those major areas have to be strengthened. If that delivery system can deliver patients and people in need to those areas of northern Ontario, then of course we will strengthen our entire medical delivery system.

I was particularly pleased that the honourable member made reference to that brief, delivered to the Minister of Health and me. He read the very interesting paragraph which recognized the tremendous health care system we enjoy in Ontario. I say it across this province and you are saying it now because it is a fact. We have a health care system that is second to none. There are improvements with regard to the air ambulance system, but I can assure the honourable members that when we put something in place it will be something we will all be proud of and will provide the services we require and are entitled to as northerners in this province.

**Mr. Wildman:** Mr. Chairman, I would like to pick up on the comments just made by the minister in relation to item 1, which deals with co-ordination and liaison with other ministries. I also wish to raise a couple of things which I mentioned in my opening remarks, and which I assure the minister I wrote myself. That is one reason they were not as eloquent as they might have been, I suppose. The minister did not respond to them.

In dealing with the air ambulance matter, which I raised in my opening remarks as

well, I wonder if the minister might comment on the statements made in the brief that our friend from Nipissing mentioned. The North-eastern Ontario Hospital Association stated in it that the air ambulance service suffers from a group of co-ordinators at the centre who do not understand northern Ontario geography, who do not have a good enough knowledge of the weather conditions and the distances involved, and who make arbitrary decisions as to who is eligible and who is not.

Could he relate that to the whole issue I have raised a number of times, and others have raised as well, about the OHIP coverage? I know the minister said the position of the Minister of Health is that if they were to change the OHIP legislation it could create a problem. If it were changed so that non-emergency referrals might be covered, and return trips covered so people would not have to pay their own expenses for these long trips—not only to Manitoba or southern Ontario but in some cases even from remote communities to larger centres like Thunder Bay, Sault Ste. Marie or Sudbury—it could make it more difficult than it is now to attract medical specialists to the north. Frankly, I do not see it as an either/or matter. I think they can be complementary. We are having difficulty attracting specialists even into the large centres of the north—into places like Sault Ste. Marie and Thunder Bay.

As a matter of fact, the chairman of the Cochrane District Health Council mentioned to me once that it was not too hard to get an orthodontist to come to northern Ontario because they tend to be macho, he-man types who like hunting, fishing and the kind of outdoor recreation we have in northern Ontario. But it is another matter when you are trying to attract a psychiatrist, who may have other kinds of interests.

**Mr. Young:** There is no work for psychiatrists in the north. Everyone is sane up there.

**Mr. Wildman:** They could be. I am being quite sincere in this. Right now in Sault Ste. Marie—we will use that city as an example—I think there are three psychiatric specialists. According to the Ministry of Health's own guidelines they need 11 psychiatrists to serve Sault Ste. Marie, the Algoma district and the immediate area there. That is not a unique situation. Anaesthetists and gynaecologists are also in short supply even in the large centres in northern Ontario.

So I do not see it as an either/or situation. I think we have to be doing all we can to attract the specialists. I realize you have



the bursary program. I realize you have extended the underserviced areas program to the specialists. It may have some effect. But I do not think that necessarily means we do not have to go the route of dealing with the OHIP coverage problem as well. We have to deal with both because we are going to be transporting people from remote communities to the larger centres, at least if we are able to provide all of the services we need in those centres at some future date.

I think the minister would agree it is completely unrealistic to say we are going to have a Princess Margaret Hospital in every large community in northern Ontario. In some very serious and rare diseases we are going to have to continue transporting people into the large metropolitan areas. So that question of OHIP coverage and an adequate air ambulance service has to be dealt with.

5:30 p.m.

I wonder if the minister might also comment on the proposal made by the Hornepayne Community Hospital and myself to the Minister of Health, which he has finally agreed to, that is, a visiting clinicians program. I think the minister would agree that one of the problems we have in attracting medical doctors to the small communities of northern Ontario is not so much their income—I do not think it is a problem; most of them make a very good income because there is a need for their services—and I do not think it is necessarily the lack of amenities in the community. It is more often the feeling of isolation, of being cut off from the rest of the profession and not being able to keep up to date in new medical developments.

With a visiting clinicians program, specialists can come in on a regular basis from southern Ontario or from the larger communities in northern Ontario to the small community hospitals and provide upgrading programs for the staff there and the doctors in the surrounding communities, so that they feel more in contact with new developments in medicine. Also, of course, it gives opportunities for patients, who might normally have to be transported, to be treated locally. If a specialist who can deal with particular problems patients have is coming in, they will not have to be moved. The specialist can use a patient's case as a way of not only upgrading the local staff but providing a practical learning experience for the medical people in the area.

Also, the minister did not react to the comment I made about the lack of dentists

in northern Ontario and the serious shortage in the northwest particularly. I understand the ministry has made funds available for a dental clinic in Chapleau. I also understand the serious financial problems of that town. I am wondering if this is something that will be expanded to other communities which need to attract dentists and what is being done in the ministry in that area. I understand Dubreuilville in my riding has asked for some dental assistance as well.

In that vein, I want to make clear to the minister that I purposely did not dwell at great length on my own riding in my leadoff because I see my role here as the critic for this ministry in a wider sense than that of simply the local member dealing with local concerns of the communities in his riding. I think it is important for us all, not just the minister, but all members in this House, and particularly members from northern Ontario, to have a wider view of the needs and potential of northern Ontario and not just to be parochial in dealing only with their ridings.

Do not worry—as we go through the votes I will have lots of local concerns I will raise. They will involve the meetings I have had and I think the minister's staff will acknowledge I have tried to be helpful in dealing with certain questions regarding the local input and development at Hornepayne. I mean that sincerely. I have tried to be helpful. I would also like to congratulate the minister's staff on their attempts to resolve some of those problems.

You mentioned specifically Missanabie. I will leave that to the later vote, but will say to the minister right now that I would not count Missanabie as one of his great achievements. I realize it is a complex matter and that the local community must do something. They want to be organized as an important district and there are some questions in the government about that. To point to a situation where you have a whole lot of pipe you paid for—and paid substantial amounts of money for—sitting there over a year after we first arranged the meeting—and I want to point out to the minister I arranged the first meeting and invited staff in. Again, I think the ministry tried to resolve the problem and I would like to deal with it at greater length later on.

There are two other specific questions which I raised in the leadoff, to which the minister has not yet had the opportunity to respond. One was the question of a back-up for the local community in providing the kind of planning expertise, research expertise into

technologies and so on that would be useful in bringing about economic and social development to a region of northern Ontario or to a local community, specifically through the proposal for a northern technology research and development institute, which I understand the assistant deputy minister for the northeastern region stated was not within the ministry's mandate. My question was which ministry has the mandate if any, because as far as we are concerned we believe the Ministry of Northern Affairs should have that kind of a mandate.

The other question is one I raised last Thursday when I began my leadoff towards the end of the evening session, and it was about the question of the transportation of nuclear waste and the whole question of the safety of that kind of a project. I believe my colleague from Nipissing also raised a very brief question about the nuclear waste issue with the minister. I may be wrong, but I do not think he responded at all about that in his response to us. All we have to go on are the statements he made last week in the House, which did not deal with the issue I raised about transportation. I would hope the minister could respond to those questions.

I had one other specific question which the minister did not deal with, and that was, what, if anything, has happened to the cabinet committee on the future of mining towns?

**Hon. Mr. Bernier:** Mr. Chairman, in response to the honourable member's questions concerning the air ambulance service, I want to repeat what I stated to the member for Nipissing. My ministry will be involved very closely with the Ministry of Health in the development of strategies and will offer some technical advice and certainly monitor on behalf of northern Ontario the role that the air ambulance service will play. The selection of aircraft, the specifications that will be required, and even the dispatch or organization to which the member made some reference, will be looked at very carefully from an overall northern point of view.

In fact, the gentleman we are seriously thinking about seconding for a period of time or maybe on a partial basis to the Ministry of Health is Don Wallace, who was very successful as you know with the norOntair operation. He has a tremendous background in co-ordination and a history of long standing in the aircraft business. I don't think you can find a better person. He will, of course, be supported by other

people in our ministry as we go through this exercise.

The exercise is not one of delay, but as I said earlier, there is advice coming in from all directions and everybody seems to be an expert in air ambulance delivery service and the type of aircraft. It is a new service, so of course everybody wants to get into the act. We are looking at a number of ways to go. I think the feeling at the present time is that it would go to the private sector.

There has been some thought that maybe the Ministry of Natural Resources, because it operates a large number of aircraft in this province, or maybe even the norOntair operation could be taken into an air ambulance system. I think we feel the private sector has done an exceptional job up to now. With some guarantee of service and of course with some improved specifications, I think the whole system can be improved tremendously. The idea of having dedicated aircraft is something that we all look forward to.

The honourable member made some considerable comment about the transportation of those people in northern Ontario requiring or desiring medical attention. I am working very closely with the Minister of Health, my colleague, with respect to a brief that has been submitted by a Dr. Remus from Thunder Bay.

5:40 p.m.

Dr. Remus, as you know, is a specialist in Thunder Bay. He has a long history of service to northern Ontario. He met with me about a month ago and explained that there are a number of specialists in Thunder Bay who would be acceptable to the idea of moving around on a regular basis, taking in the Geraldton and Pickle Lake areas and over into Red Lake and the whole area on a regular basis, if their accommodation and transportation could be arranged.

Co-ordination with the local GP would be very necessary because the GP would identify the problem and make the necessary arrangements for the specialist to come and which one to come. The specialist would arrive and not only give the patient the attention and service he requires, but would support the GP. The member made some reference to the fact that they dislike operating in isolation. I think we accept that, and that is one of the very severe problems in northern Ontario because the small hospitals and the small communities can support only one doctor. Some are working



seven days a week, as we saw in Manitowadge. He got burnt out; he just couldn't hack it. It was too much for him. I can assure you we are working on that issue as expeditiously as we can, pulling the whole program together. I think the suggestion Dr. Remus makes is an excellent one and we are going to follow that through.

The lack of dentists in certain areas of northern Ontario is something we have been trying to rectify for some considerable time, as the member is very much aware. It is not the lack of dentists in this province but the lack of dentists in specific spots and specific areas. I certainly do not want to suggest we do what they did in Norway. When I was in Norway, they pointed out to us they had extreme difficulty getting doctors and dentists, particularly doctors, in the northern part of Norway. The parliament of that country passed a piece of legislation that when doctors graduated from the medical schools—I think there are two or three in Norway—by law they would have to spend three years in northern Norway. The profession is really up in arms about that kind of attitude. I put that on the record because I think the association and the college do have a responsibility.

I have made this point many times to the Ontario Dental Association. The president, Dr. Brad Holmes, is from Kenora, and knows the situation. He is very much aware of the situation as it relates to the lack of dentists in some areas. He is working very closely with the local health unit and with the health council and is in touch with the Ministry of Health and myself on a very regular basis.

**Mr. Martel:** There are two orthodontists for all northern Ontario.

**Hon. Mr. Bernier:** I know. That is one of the problems, and there are lots of them down here. I was told in Peterborough there are so many dentists there that when they had a decline in population and a few plant closures some of the dentists went to each other and shared their practices so that they wouldn't have to move. I think it is totally unacceptable in this society. Where the needs and the requirements are in some other parts of the province, then surely they have an obligation to answer to that particular need if only on a rotation basis. I am not saying they have to go to northern Ontario and take up permanent residence for the rest of their lives.

**Mr. Wildman:** If they did, a lot of them would stay.

**Hon. Mr. Bernier:** I am sure they would. I have said many times that once they move

up there and buy a fishing pole and a skidoo and get their lungs full of that good, fresh, clean air of northern Ontario, that's it, they are hooked. That is one area where we share a common concern. There is no question about that.

I want to get back briefly to my other comments about the future of northern Ontario in the single-industry communities. I am not sure but I will find out exactly what has happened to the cabinet committee on mining communities. I think it has been wound up.

**Mr. Martel:** It has been disbanded.

**Hon. Mr. Bernier:** Right.

**Mr. Martel:** Without a recommendation.

**Hon. Mr. Bernier:** There were a few recommendations but, as I said earlier, there are no easy solutions. I want to make the point with regard to Atikokan and the single-industry communities. In the honourable member's riding, the town and the community of Wawa, identical to Atikokan, has already approached me and spoken to me about what its future will be, because it sees the end of that iron ore body.

**Mr. Wildman:** They have only 25 more years.

**Hon. Mr. Bernier:** That's right and I was impressed with the people of Wawa, who 25 years in advance are coming together and at least are thinking about it. I think that's important because once they become aware of their future—

**Mr. Wildman:** Thirty years ago, Atikokan thought about it.

**Hon. Mr. Bernier:** That's right and there is no easy solution. You just can't sit in your seats, wave a magic wand and industry will move in there. It won't happen. You can develop all the crown corporations you want, get all the government direction you want, but certain things happen in our society with which philosophically you don't agree but—

**Mr. Wildman:** If they won't do it, then why won't you?

**Hon. Mr. Bernier:** Mr. Chairman, the problems are very real. We have been creative enough in the past to achieve the standard of living we aimed for in northern Ontario, and it will increase.

The portion about nuclear waste and the transportation of that product will be debated and will be under some very careful study by the Ministry of Energy and this government. We have a considerable amount of lead

time, something like four or five years. I know four or five years go by relatively quickly. The select committee has been dealing with this issue and it's something we will be looking at very carefully. When the government makes its policy decision it will be in keeping with the requirements of the public at large. There's no question about that. We are not insensitive to their concerns and the fears they may have. I am sure that will flow out from the discussion we will have in the weeks and months ahead.

**Mr. Martel:** Mr. Chairman, let me deal first with uranium. I am intrigued by what the minister said last week and I am more intrigued by what he said today.

I am wondering if the minister is prepared to insist that Atomic Energy of Canada Limited do some of its drilling in southern Ontario. I spent only three weeks on the select committee, filling in for my colleague from Thunder Bay, but I was amazed to learn it was this government and the federal government who set poor old AECL up and here they were taking all the blame for wanting to drill in northern Ontario when your government and the feds had determined there would be no drilling in southern Ontario and all the drilling would be done in northern Ontario.

They wanted two different types of rock to be drilling in and you beggars said, "No." I would like to know why you, coming from northern Ontario, would not say, as you did the other day, "We recognize we have a problem but you should drill if you want in the shale," where they wanted to drill. Why did you say no, you of all people? I don't expect any more from the member for Durham West (Mr. Ashe) because he was scared they were going to drill in his backyard, but why would you hide behind AECL and not say, "It was a determination of this government that there would be no drilling in southern Ontario"?

I find that offensive and I am sure my colleagues from northern Ontario find it offensive that you would at least not let the drilling go on here in the south because AECL is telling us in northern Ontario they are drilling.

5:50 p.m.

It is just experimentation to determine what the bedrock is all about and if there is any seepage in the rock. Why could we not do that in southern Ontario too? Why would you oppose it? Why would you not get up in cabinet and raise absolute hell and say it will

be done in the south because AECL wants to do it in both places? Why should we be the receiver-general of the garbage?

If you were as anxious to get into some economic planning for northern Ontario as you are to see the wastes come north, I would be delighted. I listened as my colleague spoke, but then I had to go to the House leaders' meeting, and I understand you said that what we were saying was just Socialist gobbledegook.

When a municipality like my home town loses jobs, the workers have to walk away from their investment—their whole investment is their home. They go down to the bank and drop the keys on the banker's desk. Young people of 25, 28 and 30 and older people who are 53, 54 and 55 cannot go and get another job and cannot, as in southern Ontario, commute to another municipality to find a job. And you say, "The industry will not come there." What you are telling me then is you let the town down, aren't you? That is Socialist gobbledegook?

You are not prepared to do an inventory of what is around there to see if we can establish something else. I was told recently by some retailers of hockey sticks that 90 per cent of them are now imported. We do not have any wood in northern Ontario, do we? Maybe it is not the right kind of wood. I did not think we were that short of timber reserves, although I realize up around Thunder Bay you have a bit of a problem. When I listen to the Minister of Natural Resources (Mr. Auld) say there could be a shortage up there in six years, I guess it is, I understand there are certain areas that do not have the inventory of wood.

But what are you doing to prevent a disaster when it hits a small community? Have you established a fund of any sort based on the taxes that we get out of the resource sector? Then when the inevitable comes in a one-industry town, and there are about 70 of them in northern Ontario, we would have some funds to try to establish something there after taking inventory of the stock.

I witnessed in Blind River the problem of no money and no gas. They did not have the appropriate gas and had to haul everything over to North Bay. By the time they got it to North Bay and dried it out, there was so much loss because of the weight factor they could not remain viable. If you had accepted a New Democratic pie-in-the-sky proposal at the federal level in 1965, 1966 and 1967, that we bring the pipeline down the North Shore, we might have been all right.



But what is your answer? "It is complex and it is difficult, and we are concerned, but we are not going to get involved." You say to those municipalities and to the workers, "Sorry, fellows, your life investment goes down the tube and you are out of luck." Nothing ever happens. Tell me what the answer is.

You have an option. You can plan, take some return on the tax dollar and keep it for assisting those municipalities, or do something. Or you can take your way out. If the private sector will not do it, to hell with it, it can go down the tube as one town after another does in northern Ontario—and you and I know it. You can say we are gloom and doom boys, but some day maybe one of you will be in the unfortunate position of having to walk away from your home and not be able to sell it. I wonder if you would be so hep then to say, "Too bad, fellows. It's your life investment, but go somewhere else because the system has not made any provision for tomorrow."

Then I listen to the "Duke of Kent" during the last provincial election tell me that northerners were expecting too much too soon. You have been extracting nickel from the Sudbury basin for 80 years or more. We do not have an industry there that is totally divorced. We do not have a secondary industry.

Consider the fact we are the third largest producer of mineral wealth in the world and we import more mining equipment than any other country going and we have a trade deficit of \$1 billion a year in mining equipment. Jarvis Clark is going to locate its next factory in southern Ontario, in Burlington, a natural ally to the mining industry, and you sit helplessly back and say "Ha, ha." The free enterprise system does not want to do anything about it.

What are we supposed to do, wait? We have waited for 80 years in Sudbury for somebody to come there. We had 95 per cent of the world's nickel out of the Sudbury basin. What did we do with it? We allowed them to take it down to Huntington and build a plant there. We said to Inco, "Take your \$245 million and buy ESB." The one thing we never said to them was, "You will invest something in Canada." Then you tell me it is Socialist gobbledegook!

There is something sick about a government that will allow a community to die without even raising a finger. We know in the town of Capreol why that mine closed down. Your fellow can get all the information he wants from George Jewett, but the top people

in Canada from that company came to me and said, "For \$2 million we could have made that a viable product, except that the steel industry decided it was going to invest in the United States." We now import nine million tons and we watch at least four mines go down the tube.

We hear from George Jewett, again through the minister, that the Inco product is no good, and that is 120 jobs. Heaven help that I should defend Inco; my track record does not indicate I have ever supported them. Only 120 jobs are involved, but in the north you know as well as I do what that means. Isn't it strange that up until a year ago Inco could sell its iron ore here? The people we checked with in the mines department in Ottawa say the product is good; there is a little too much nickel in it, it might become a little brittle, but in stainless steel and a whole series of things, it is outstanding.

The real hooker is that these companies have bought into the United States and they are committed to a certain percentage every year. They are going to take that percentage and be damned Ontario, be damned the one-industry towns in northern Ontario. We will, in fact, purchase from the United States nine million tons coming into Ontario this year, and we see four mines go down.

You have the nerve to say that is Socialist gobbledegook! What are you prepared to do to protect those one-industry towns in northern Ontario? What are you prepared to do to protect the workers, to protect their only investment, their homes? What are you going to do to guarantee or provide adequate employment for kids in northern Ontario, because the decline is there? All Ontario is growing except for northern Ontario.

I have listened to you for 13 years and you have handed me the same line of junk and you have done nothing.

**Mr. Mancini:** Why do you bother listening?

**Mr. Martel:** You would think even somebody as obtuse as that could learn. You get up and tell me, "Don't worry about it; you are doom and gloom." Do you have no empathy, no sympathy for the people who lose their homes, their jobs and their investment?

**Hon. Mr. Bernier:** What do you do with 2001? You are a total failure yourself.

**Mr. Martel:** We are going to get on to 2001. I am glad I have provoked you. May-

be we could sit until 6:30, Mr. Chairman, and the minister and I could engage on that topic.

**The Deputy Chairman:** Do you want to have more discussion?

**Mr. Martel:** With that interjection, I have decided I will come back for the next session. I will be here.

**Hon. Mr. Bernier:** Mr. Chairman, before we recess tonight, I want to answer my two critics.

In my opening remarks I spoke of an experiment we have going in northern Ontario. As you know, my ministry is co-operating with Northern College and TransCanada PipeLines in developing an experimental greenhouse at Raymore. We have taken off one crop of trees already for the Ministry of Natural Resources and we hope to grow three crops of trees on an annual

basis, with a fall crop of fruit and vegetables.

This is the first vegetable crop to come off, and to recognize the event, I have a case of tomatoes for the member for Nipissing and also a case for the member for Algoma. I am sure members of your caucus will want to taste these, because they are grown in northern Ontario using surplus heat from TransCanada PipeLines. You will notice I brought them out at 6 o'clock because I did not think you would start throwing them at me then. They are beautiful tomatoes, as you can see. They are exceptionally fine tomatoes, the first crop to come off and they are being sold to the retail trade in northeastern Ontario. Gentlemen, I hope you enjoy them.

On motion by Hon. Mr. Wells, the committee of supply reported progress.

The House adjourned at 6:02 p.m.



## APPENDIX

(See page 3773)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

## HOMES FOR SPECIAL CARE

**307. Mr. McClellan:** Will the Attorney General advise the House how many residents of homes for special care are under the jurisdiction of the public trustee? On behalf of how many such residents did the public trustee file applications for Ontario tax credits for each of the years 1976, 1977, 1978 and 1979? (Tabled October 14, 1980.)

**Hon. Mr. McMurtry:** The number of homes for special care residents under the jurisdiction of the public trustee in each of the years referred to by the question is set out below.

Administratively, it has not been necessary to keep complete records in respect of tax returns of residents of homes for special care. The number of applications for Ontario tax credits for each of the mentioned years has therefore been estimated on the basis of the total number of tax returns filed in each year and the percentage of those tax returns applicable to homes for special care residents. Although these tax return figures are not precise, they are fairly representative.

Date	Number of special care patients under jurisdiction of the public trustee	Number of applications filed for Ontario tax credits
1976	7,037	4,700
1977	7,315	4,800
1978	7,320	4,800
1979	7,059	4,700

## NORFOLK TEACHERS' DISPUTE

**308. Mr. G. I. Miller:** Will the Minister of Education advise the House, in view of the great concern of 2,451 persons who signed a petition calling for an end to the interruption of their children's education, if she is prepared to take action to end the dispute between the Norfolk Board of Education and the Ontario Secondary School Teachers Federation? (Tabled October 14, 1980.)

**Hon. Miss Stephenson:** The Education Relations Commission has provided a mediator to assist the parties to reach agreement, and while the mediator has adjourned the proceedings, the Education Relations Commission stands prepared to assist the parties to reach a satisfactory agreement. It would appear that other interventions at this point would be inappropriate.

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, October 28, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, OCTOBER 28, 1980

The House met at 2 p.m.

Prayers.

## STATEMENTS BY THE MINISTRY

### COUNCIL FOR FRANCO-ONTARIAN AFFAIRS REPORT

**Hon. Mr. Brunelle:** Mr. Speaker, I take pleasure in announcing that later today, in conjunction with my colleague the Minister of Culture and Recreation (Mr. Baetz), I shall be tabling the fifth annual report of the Council for Franco-Ontarian Affairs.

Le rapport fait état de plusieurs réalisations au cours de la dernière année dont la décision du gouvernement de mettre sur pied, à Alfred, un collège de technologie agricole de langue française. Qu'il me soit permis de souligner l'apport précieux que le coordonnateur provincial des services en langue française a reçu du Conseil lors de l'organisation des colloques dans huit municipalités de la province. Ces colloques s'adressaient aux cadres dans les bureaux régionaux sur les services en langue française. L'aide du Conseil a été fort appréciée.

Au nom de mes compatriotes de langue française et du gouvernement ontarien, je félicite le Conseil de son excellent travail.

## ENERGY CONSERVATION

**Hon. Mr. Drea:** Mr. Speaker, based on the statement made by the Minister of Energy (Mr. Welch) on October 10 about an energy conservation program in this province, I would like to provide to the members some indication of the direction we are taking on amendments to the building code.

The amending regulations will be based on the federal guidelines, Measures for Energy Conservation in New Buildings. We were preparing to proceed with them early this fall. However, my staff has just recently been advised of and invited to a meeting, called by the chairman of the federal government's standing committee on energy conservation, to consider the revisions that may be necessary to the federal measures as a result of public comments on them.

This further review of the federal measures may delay the implementation of our regulations and we may not meet our year-end target for the new regulations. In any event, we hope this delay will not be for more than a month or two.

When we do proceed, we will be introducing regulations in two stages. The first stage will include regulations that will update energy conservation requirements now in the building code for housing that is not more than three storeys in height nor more than 6,000 square feet in floor area. This includes apartment buildings within the same height and area criteria. The first stage will also add energy conservation requirements for commercial and light industrial buildings that generally have a relatively simple set of internal environmental conditions to satisfy, such as human comfort in apartment and office buildings. Warehousing will be covered as well.

The second stage will include regulations that encompass buildings that are more complex from an energy conservation viewpoint. Included will be buildings where there is normally a variety of internal environmental demands to be satisfied; for example, hotels, where environments range from the comfort of the individual in his or her room to meeting rooms and convention facilities, pools, saunas, fitness centres, commercial kitchens and underground parking.

Other examples of complex building environments are industrial and manufacturing processes that produce heat that must be dissipated or can be used for heating requirements elsewhere in the buildings. Energy conservation requirements in the latter instances would apply only to the system designed to utilize the generated heat and not to the process itself.

Due to the variety of internal environmental demands, buildings such as hospitals, recreation centres, laboratories and freight depots will also be included in the second stage, together with a number of other building types that are too complex to be included in the first stage. It is our intention to resolve requirements for the more complex buildings by the end of next year.

**Hon. Mr. Grossman:** Mr. Speaker, following on my colleague's statement, two weeks ago, another of my colleagues, the Minister of Energy, announced wide-ranging new initiatives designed to reduce our province's dependence on oil, create new jobs and increase export market potential for Ontario technology. This afternoon, I would like to detail for the members the \$10 million energy conservation and oil conversion program which is part of that 10-point, \$165 million energy package.

As the honourable members are aware, my ministry has been actively involved in promoting energy conservation within Ontario's industrial sector since 1975. We pioneered the energy bus concept. To date, this computer-equipped vehicle has performed energy audits for some 1,300 Ontario companies and has identified energy savings of \$50 million per year for these companies. The government of Canada has adopted Ontario's idea and is implementing it across the country. Governments in Europe, Asia and the Caribbean are also actively considering the use of this concept in their jurisdictions.

The Ministry of Industry and Tourism also played a key role in getting the Woodex process into actual use in northern Ontario. As members know, Woodex is a pelletized fuel made in Hearst, Ontario, from sawdust and wood waste. As part of our pulp and paper program we encouraged Abitibi to enter into a long-term contract with Shell to use this alternative form of energy and convert its boilers at Iroquois Falls. This breakthrough would not have occurred without some incentive from this government.

In recognition of the increasing importance of energy costs to a competitive industrial structure, we created a special unit within my ministry, the energy group, whose mandate it is to promote practical energy conservation measures for Ontario manufacturers. The energy group participates in the Canada-Ontario bilateral energy demonstration program, operates the energy bus and offers display space to Ontario manufacturers of energy efficient equipment.

I would now like to outline how we intend to build on these initiatives to reduce Ontario's industrial energy bill. Our two goals are to substitute from oil to other fuels and to stimulate investment by Ontario companies on energy saving equipment and processes.

Given that industry uses 550 million gallons or 2.5 billion litres of oil each year, oil

substitution is critical to Canada's overall objective of achieving energy self-sufficiency. To the extent that we can reduce this consumption of oil by substitution of natural gas and other more abundant fuels, we will have reduced our dependency. Moreover, at current prices, there is a cost saving of some 25 cents for every gallon of oil displaced.

To realize energy savings, individual companies will have to undertake significant capital investments to convert existing oil-consuming equipment to alternative fuels; implement waste heat recovery and manufacturing process modifications with clear energy recovery benefits; and install energy controls, and building insulation and efficiency improvements.

2:10 p.m.

Many of these essential investments have not been made because income-generating investments often provide higher returns than cost-saving investments; payback periods often stretch beyond the typical five-year capital budget, and some companies simply lack the financial resources. Therefore, we have decided to introduce a direct financial incentive to stimulate industrial investment on energy-efficient equipment and processes and to accelerate the shift from oil.

This new initiative, the industrial energy conservation and oil substitution program, was originally announced by my colleague the Minister of Energy. It will be initially funded at \$10 million and will commence immediately. I would now like to outline the main features of the incentive program.

First, the incentive will apply to approved projects that can demonstrate a return on investment—net of the incentive—in not longer than five years. Second, the incentive will take the form of a reimbursement grant to a maximum of \$50,000 against expenditures incurred by a company. Third, the incentive will cover 25 per cent of the costs of converting from oil to natural gas or other energy sources. And fourth, the incentive will cover 50 per cent of the cost of equipment replacement and manufacturing process changes.

To ensure that smaller firms that do not have in-house expertise on energy investments enjoy full access to this incentive program, we will contribute 50 per cent, or up to \$1,000, of the cost of an energy-saving implementation plan prepared by a professional consultant.

This program will be administered by the energy group of my ministry, working in close co-operation with staff of the Ministry



of Energy. The brochures, application forms and simple contract documentation will be widely available before the end of next month.

I am confident this program will do much to reduce our dependence on oil and upgrade the energy efficiency of Ontario's capital stock. I look forward to an enthusiastic response to the program by manufacturing firms throughout the province.

#### TABLING BACKGROUND INFORMATION

**Hon. Mr. Grossman:** Mr. Speaker, I might take this opportunity to draw to your attention, as well, a point of procedure.

You decided yesterday that in accordance with an objection raised by the member for Nickel Belt (Mr. Laughren) I was obliged to table a compendium following what you deemed to be a policy statement by my ministry last Thursday. As I indicated yesterday, we did not choose to challenge your presumption or decision that it amounted to a policy statement, and in so doing we agreed to file the information.

I noticed in today's Votes and Proceedings the information we filed was shown as simply a sessional paper. To comply with the ruling you made, which I do not necessarily agree with, I think it should more properly be listed as a compendium so that the record stands completed. Perhaps you might have that correction made.

**Mr. Speaker:** I will take a look at it. I consider anything a minister says is a statement of policy. You were giving a record of stewardship as a minister, and I would consider that to be a matter of policy. I think everything that all ministers say is important, and I treat it in the same light.

**Hon. Mr. Grossman:** I do not want to prolong the discussion, and I chose not to yesterday. May I simply say I think it is important that the record at least show that policy in my view is the subject matter of a great number of statements. Occasionally a statement by the minister may be a report on the results of that policy. It is a resulting document which shows performance; it is not a statement of policy, but a statement of results. I think that much affects the kind of decision you may make with regard—

**Mr. Speaker:** I think you have to leave to the chair the discretion of dealing with each individual circumstance as the chair finds it. I did that in this instance. I am satisfied that you have complied with it.

#### DEBATE ON CONFEDERATION

**Mr. Cassidy:** Mr. Speaker, I have been in receipt of a bound copy of the debates on the constitution which took place between May 5 and May 9, 1980, and I thank the House leader for my personal copy. I am disturbed, however, that copies are being made available only to the leaders, the House leaders and whips of the three parties in the House, particularly in view of the fact that it was my colleagues in the New Democratic Party who, with myself, ensured that this debate would actually take place. I would ask you, Mr. Speaker, to intercede with the House leader to ensure that every member of the Legislature could have a copy of this bound volume on the constitutional debate.

**Hon. Mr. Wells:** Mr. Speaker, I am sure my friends in the official opposition and others in this House would take a bit of exception to my friend's last statement that his party was responsible for this debate. This debate came about because all parties in this House wanted to have the debate. Never at any time was it opposed by any party in this House.

The only difference of opinion was as to what time it should occur. I think my friend would have to agree at this point that it was our insistence that it be held—and I believe the member for Ottawa East (Mr. Roy) held this point of view too—closer to the Quebec referendum, and that was when it was held. I think that remark is certainly a little off the mark.

As to the request that all members have bound copies of the constitutional debate, I would be happy to take that under consideration. I just felt that those who had played some part in the organizing of the debate might like to have a copy. All members of the House will be getting bound copies of all the debates, as my friend knows. However, rather than send them to everyone, if those members of the House who would like a bound copy would let us know, we will make it available to them.

#### ALLOCATION OF QUESTIONS

**Mr. Speaker:** I would like to inform members that in question period yesterday we had 16 new questions and 16 supplementaries, in the course of which 15 members questioned eight different cabinet ministers.

There is only one area where I think the process might be improved, that is, in the length of the answers and the repetition contained in the answers. If we can keep that in mind, I think the question period will be much more productive and we will have much wider participation.

## ORAL QUESTIONS

## TORONTO ISLAND HOMES

**Mr. S. Smith:** Mr. Speaker, I have a question for the Minister of Intergovernmental Affairs. Will he inform the House as to what provincial policy will now be with respect to the Toronto Island matter? Is it the intention of the minister simply to allow the writs to proceed or is it his intention to bring before this House a bill that would be acceptable to the majority of elected members in the House which could guarantee the survival of the island community?

**Hon. Mr. Wells:** Mr. Speaker, I am sure my colleague the Attorney General has had an opportunity to read the judgement of the Ontario Court of Appeal. I haven't had an opportunity to read it and I would like to see it myself before I decide on some definitive action, but I will tell the member what I am in the process of doing.

I am in the process of sending a letter to the chairman of Metropolitan Toronto, indicating again to him the fact of what has happened, which I am sure he is well aware of, and asking if he and the council of Metropolitan Toronto would not think it would be in the best interests of the whole community to withhold any action on having those writs served until the Swadron commission reports.

I think Barry Swadron as the commissioner has held a very full and far-ranging inquiry and his report will be well worth reading by members of this House, members of the community, members of Metro council and members of the Toronto city council. I think the report should be read before any action is taken. That report will not be available until the end of November. It will not be available until then because he has held a very full hearing and given everybody a chance to appear and to talk to him and also give himself a chance to investigate fully the total matter. I think that is good.

What I am going to suggest to the Metro chairman in the letter that I am at present having typed and sent to him is that Metro council not take any action until after the Swadron report is filed.

2:20 p.m.

It is very important that that action be taken by Metro council since they are the instigators of the writs; they alone, I believe, can ask the sheriff not to carry out their original wishes that writs be served. They can ask and they can immediately stop any action at present. I do not think any-

one in this House wants any action to be taken at this time, and certainly not while the Swadron commission report is still being prepared. I think that is the action that should be taken now.

In answer to the member's question as to taking some action that will solve the matter ultimately, I presented some action with which the member disagrees in Bill 5. I would like to see what Swadron finally has to say on the whole matter after his very thorough study. The ball really is in the hands of Metro council and the Metro chairman at this time. They have it in their power to ask that those writs not be served at present until Swadron has reported, and I hope that is the action they will take.

**Mr. S. Smith:** Whether Mr. Swadron, the minister's appointee, eventually agrees with the minister or not will be of considerable interest, I am sure, but as far as requesting Mr. Godfrey to take no further action, the mayor of Toronto already made that request. Mr. Godfrey says he rejects it, it is totally in the hands of the sheriff and "it is no longer in the hands of Metro council."

Given that the minister himself made a similar request at the beginning of the summer that the matter remain in abeyance until Mr. Swadron has reported and Metro again rejected that, what reason does the minister have to believe Metro will take a different point of view? Why does the minister not accept responsibility and bring in a bill that is acceptable to everyone that will keep the community intact at the very least on a temporary basis, so we can then have a final answer either when a new government comes in or when the government changes its mind?

**Hon. Mr. Wells:** Given the speeches my friend and the members of his caucus make, as do I, about co-operation with those in local government who are charged with certain responsibilities, we first of all have to ask Paul Godfrey and Metro council what their official reply will be. When we get that back, we can then speculate or decide what course of action to take, but I do not want to prejudge.

He has never said to me, "I will not take any action at this time not to have those writs served." When I get that word personally, I will then proceed to think of what the next steps are.

**Mr. Breithaupt:** Will the minister table the reply?

**Hon. Mr. Wells:** Yes, I will be happy to table it.



**Mr. Cassidy:** Supplementary, Mr. Speaker: In view of the fact the Metro chairman has taken an attitude like Pontius Pilate and is trying to wash his hands of the whole matter on the grounds that it is in the hands of the sheriff, would the Minister of Intergovernmental Affairs communicate with the Attorney General, who is on his left, and get an assurance that the provincial authorities now involved through the sheriff's office will not implement those writs of eviction, and that no action will be taken by provincial authorities against the islanders pending the Swadron report?

**Hon. Mr. Wells:** The Attorney General and I have been consulting on this matter ever since the decision was brought down yesterday. Since I am certainly not a lawyer, as my friend knows, I would hesitate to get into any matter requiring a legal interpretation. I am going to refer the member's question about the actions of the sheriff to my colleague, the Attorney General.

**Mr. Cassidy:** I redirect the question, Mr. Speaker.

**Hon. Mr. McMurtry:** Mr. Speaker, I think from some of the statements attributed to the Metro chairman that he might be slightly mistaken as to the role of the sheriff's office in this matter. It is the sheriff's responsibility to carry out the orders of the court, and as Metro council are the applicants, it is totally within their purview either to request or to indicate to the sheriff that they do not want the writs of possession exercised at this time.

It would be quite improper, in my view, given the ruling of the Court of Appeal, for the Ontario government to attempt to direct the sheriff not to carry out an order of the court and we have no intention of doing so.

We remain optimistic that Mr. Godfrey will see the wisdom of instructing the sheriff not to proceed until the Swadron report has been received. If such an undertaking is not forthcoming, then there are other options open. We will consider those at the appropriate time.

#### DEATH OF HARPREET FLORA

**Mr. S. Smith:** Mr. Speaker, I have a question for the Solicitor General. I must confess it is a very difficult and sensitive question, and I have a lot of concern about asking it, but I will try to put it as well as I can.

A member of the Solicitor General's office and I personally were approached by some members of the East Indian community just a few minutes ago about the death of six-

year-old Harpreet Flora in very unusual circumstances. I wonder whether the request of the community for an autopsy prior to the burial of this young lad could be acceded to in some way and whether the Solicitor General is aware that the community seems to lack confidence in the way in which the investigation has been conducted.

I am sure neither the minister nor I would lack confidence in the police; I simply say the community does, on the basis that it is alleged the investigator has not actually gone to the scene himself but is relying on drawings. There are also a number of other alleged discrepancies.

Is the minister able to assure the House that the worries of the community will be taken very seriously and that the investigation will be complete in every respect, watched over by the Solicitor General himself as might be required, and that an autopsy will be performed in a satisfactory manner?

**Hon. Mr. McMurtry:** Yes, Mr. Speaker. I appreciate the Leader of the Opposition's concerns about the sensitivity of this issue, arising as it does from a terrible tragedy. The death of any young child, particularly in circumstances such as this, causes concerns and great anguish in the hearts of the family and their friends and neighbours.

I may be mistaken, but I am under the impression at the present time that an autopsy has been performed. However, I understand there is some concern about the pathologist involved and whether there should be some further involvement of another pathologist to confirm the findings. We are considering that at this very moment.

I certainly wish to do everything within my power to alleviate the concerns of the East Indian community. I will be meeting with them on Thursday afternoon, along with senior representatives of the Metropolitan Toronto Police, to assure them that the investigation that has been carried out and is being carried out is a very thorough one. I agree with the Leader of the Opposition as to the importance that must be given to maintaining that confidence which must exist, particularly in the context of this tragedy.

#### HOSPITAL INTERNES

**Mr. Cassidy:** Mr. Speaker, I have a new question to direct to the Deputy Premier in the absence of the Premier (Mr. Davis).

The Deputy Premier will know that at five o'clock on Thursday of this week, internes and residents in hospitals across the province

are due to go on strike. The Minister of Labour (Mr. Elgie) appointed an assessor to make recommendations about their situation, received those recommendations and then washed his hands and did nothing. The Minister of Health (Mr. Timbrell) has not been available for two days to answer questions in the Legislature about this very difficult issue. Yesterday we heard the Minister of Colleges and Universities (Miss Stephenson) claim she was unaware of an agreement reached in July that has apparently been backed away from by management.

2:30 p.m.

Will the Deputy Premier say who is minding the store and who is responsible for ensuring that full medical service will be available to the public and will not be jeopardized by the withdrawal of service by the internes and residents because of the impossible situation in which they have been put?

**Hon. Mr. Welch:** Mr. Speaker, my recollection is that the Premier did speak to this particular matter yesterday, indicating there were meetings which did involve the Minister of Health. I am at some disadvantage without the Minister of Health's being here, but no doubt he will be able to report to the House on his return on Thursday.

**Mr. Cassidy:** The strike deadline has been set for five o'clock on Thursday. The internes now face a situation where an agreement, hammered out in July, has apparently been abandoned by the administrators of teaching hospitals at the behest of the medical faculties or the Minister of Colleges and Universities or some organ of the Ontario government.

The status of those internes and residents has been clearly established by arbitration over many years. The assessor found that those internes and residents work as employees, providing health services for an average of 70 hours a week. Why does the government allow the red herring that these doctors are students to threaten the operation of the most important hospitals in Ontario?

**Hon. Mr. Welch:** I repeat that the Minister of Health will be in his place at two o'clock Thursday, which is three hours before the particular time to which the member referred in his question.

**Mr. Conway:** Mr. Speaker, I would like to direct a supplementary to the Minister of Colleges and Universities in connection with what she said yesterday. She indicated, and I am quoting now from Instant Hansard, that the entire matter of the Teplitsky report

has been referred to the clinical education subcommittee of the Ontario Council of Health.

Is the minister aware that on Wednesday of last week when the Professional Association of Internes and Residents of Ontario met with the clinical education subcommittee, it was discussed and decided that whereas that subcommittee had a mandate to discuss those educational matters that are part of this whole area, both sides—PAIRO and the clinical education subcommittee—agreed that the subcommittee had no place and wanted no part of the issue which is threatening the province with a withdrawal of services?

In view of that information, can the minister indicate on behalf of the government who is acting where and what the government is proposing to do to avert this, since it is clear from the clinical education subcommittee's point of view it has no responsibility and sees no obligation in dealing with the employee-employer matters which are at issue in this threatened withdrawal of services?

**Hon. Miss Stephenson:** Mr. Speaker, I am very much aware of the results of the meeting between PAIRO and the subcommittee last week. I am also aware there are consultations going on amongst three ministries, but specifically between two, which are dealing with this potential problem.

**Mr. Speaker:** I will allow a supplementary from the member for Oshawa if it is directed to the Minister of Colleges and Universities.

**Mr. Breaugh:** I would love to, Mr. Speaker.

**Mr. Speaker:** The reason is that the Deputy Premier has referred that for a decision or some comment from the Minister of Health.

**Mr. Breaugh:** It does not seem to make much difference whom one asks. Can the minister provide us with some rational explanation why, four months after an agreement was reached in this matter, she is still leaving it until three hours before a strike occurs? Is she really happy that residents and internes will continue to be exploited and with the fact that she has now sent this off for an academic discussion when there is a strike deadline of Thursday afternoon?

**Hon. Miss Stephenson:** It is my understanding that there was a letter of understanding exchanged between the two groups. I am not aware there was a tentative agreement reached or an agreement of any kind. There was a letter of understanding submitted but, whether that was responded to



positively by both groups, I cannot tell the member at this point. I have seen a copy of the letter of understanding which was submitted to both groups. I am aware that is in existence; I do not know of any agreement.

#### EMPLOYER-SPONSORED TRAINING PROGRAM

**Mr. Cassidy:** Mr. Speaker, I have a question for the Minister of Colleges and Universities, who does not understand when an agreement is an agreement, arising out of questions I raised in this House yesterday. I asked the minister why the number of women involved in the employer-sponsored training program had fallen to four from five over the past year, while the number of men getting employer-sponsored training has gone up to 1,500 from more than 600 in the same period of time.

When the minister told the House yesterday there was full openness in the employer-sponsored training program and that it is equally applicable to men and women, was the minister aware that according to her own staff almost five per cent of the applicants for employer-sponsored training are women, yet the approval of women applicants is only one quarter of one per cent? Why were only four women accepted into the plan where, if they had been treated on the basis of equality in relation to their applications, there would have been at least 75 women accepted?

**Hon. Miss Stephenson:** Mr. Speaker, the applicants for employer-sponsored training within any establishment are accepted on the basis of their desire to move forward in a skills training program, the basic education which they have, and the appropriateness of their skills in pursuing the course which they have suggested would be fitting for them within that establishment.

The program is equally available to men and women. If there has been a major increase in the number of applications for the employer-sponsored training program, I shall be delighted to look at that. If, as a result of that increase in applications there would seem to be a decrease in the number of acceptances, I would like to look at that as well.

My concern at present is that not enough women are applying for these programs under employer-sponsored training. We have been doing a fair amount to try to encourage women to look at nontraditional jobs and specifically at the avenues available to them for improving their status through such

programs as EST. We will continue to do that, but we have not set a quota for women in any of these activities at this point because I feel, unfortunately in many instances, setting a quota establishes a maximum rather than a minimum.

**Mr. Cassidy:** Perhaps the minister should be aware that if women are not applying to the proportion of 50 per cent of the positions available it is because it is 20 times as hard for women actually to get accepted into the program as it is for men.

Is the minister aware that contrary to her statements frequently repeated in the Legislature, when we talked to the director of the employer-sponsored training program in her ministry and asked why it was that women did not get accepted, we were told: "Women are not entering the skills training program because they are afraid of moving parts and equipment. It takes a particular kind of cat to survive on the shop floor"?

Is that the reason women are not being accepted into the program? What is the minister going to do to get rid of that kind of retrograde treatment of women and the denial of equality for women in acceptance to employer-sponsored training?

**Hon. Miss Stephenson:** The suggestion that the Minister of Colleges and Universities, who has responsibility for this, is in some way opposed to women's involvement in any kind of activity is ludicrous. I deplore the language that has been quoted in this House, and I shall investigate that. That kind of language is not particularly helpful.

I believe there is some concern on the part of women about nontraditional jobs. I wish there were a way in which we could be more effective in overcoming, first, some of the peer pressure and, second, some of the family pressure related to the entrance of women into those nontraditional areas. We are exploring that at present and trying to find a way to encourage women to stop paying attention to their fathers, like the leader of the third party, who caution against moving into that kind of activity.

#### NONRESIDENT AGRICULTURAL LAND OWNERSHIP

**Mr. Riddell:** Mr. Speaker, I have a question of the Minister of Agriculture and Food. Since it will take at least a year from the time the Nonresident Agricultural Land Interests Registration Act is proclaimed until the minister determines the seriousness of the foreign ownership problem, and since

many new, large holdings of farm land are being consolidated and are in the process of being sold to foreign investors, is he prepared to amend Bill 60, as is strongly requested by the Ontario Federation of Agriculture, to place an immediate freeze on foreign and corporate absentee purchases of Ontario farm land during the period in which he intends to study the problem?

2:40 p.m.

**Hon. Mr. Henderson:** Mr. Speaker, I have made the honourable members aware that this bill will be proclaimed effective December 1. This was the bill that went through the Legislature earlier in this session. The regulations went through cabinet last week. A director, Mr. Vern Spencer of my ministry, will be appointed effective December 1 to take over those responsibilities. At this time, there are no plans for amendments to this bill.

**Mr. Riddell:** Does the minister intend to make any amendments to the bill before it is proclaimed, making it mandatory that the minister appoints a director and that he appoints inspectors, rather than having permissive legislation?

**Hon. Mr. Henderson:** No. I think I made it quite clear, I have no intentions of amending the bill. I have assured this House I will appoint a director, but I am not going to put in the bill that it is compulsory.

**Mr. MacDonald:** Supplementary, Mr. Speaker: I have a private member's bill before this House that calls for the mandatory appointment of a director and inspectors; also that there should be a freeze until we find out exactly how much of this land is going. Both these issues have now been endorsed by significant majorities by the board of the Ontario Federation of Agriculture which has said, if the minister does not take appropriate action, he should resign. Is the minister going to implement that? Or is he willing to accept the suggestion of the leading farm organization that he should resign?

**Mr. Speaker:** I think that has already been answered.

**Hon. Mr. Henderson:** Mr. Speaker, I have answered most of the member's question. I am sure the member for Huron-Middlesex (Mr. Riddell) would want to tell you I suggested to members of the Huron County Federation of Agriculture that they approach their own county with the possibility of bringing in a private bill of this nature, but he did not mention that.

## COSTS OF POLICING

**Mr. Eakins:** Mr. Speaker, I have a question of the Provincial Secretary for Justice in the absence of the Solicitor General (Mr. McMurtry), concerning the funding of police forces in this province and, in particular, the unacceptable difference in the level of per capita grants given by the province to municipalities with regional municipal police forces.

Last Friday the Solicitor General stated, "Due to other grants from the province, municipalities are not prejudiced by the provincial funding arrangements." He is familiar with the report of Mr. Pukacz, his special assistant, whose report incidentally was presented to him exactly two years ago today. Can the minister inform us whether in his calculations he included such grants as resource equalization, per capita general, per capita density, transitory and special assistance which, Mr. Pukacz stated, "cannot be considered as a general contributing component of provincial support for policing"?

**Hon. Mr. Walker:** Mr. Speaker, I believe the Solicitor General, in answering this question very thoroughly last Friday, indicated he had discussed the matter with the Treasurer (Mr. F. S. Miller), and the Treasurer had indicated there were compensating grants available. Surely the kind of question the member is asking of me should be directed either to the Solicitor General or to the Treasurer.

**Mr. Eakins:** What steps will be taken by the ministry to reform the work of police acting as transporters of prisoners to and from the courts and acting as guards in the courts? What changes are going to be made in that regard?

**Hon. Mr. Walker:** I am not sure any changes are going to be made at the moment. We are considering the whole question, and we are reserving a number of options; one of the options would be to continue in the manner in which it is being done now.

## RURAL ELECTRICAL RATES

**Mr. MacDonald:** Mr. Speaker, in the absence of the Premier (Mr. Davis), I have a question for the Minister of Energy. Yesterday, I raised with the Premier a report on hydroelectricity costing and pricing, dated August 1980. Apparently the Premier knew nothing about it. May I read one sentence in it to the Minister of Energy: "Ontario Hydro will be sending its report to the gov-



ernment shortly"—the Premier obviously had not received it—"and has been advised by the government that before the determination is made there will be further consultation with the Ontario Municipal Electric Association and the Association of Major Power Consumers in Ontario."

Is the minister aware that this report, which is an interim report that is going to be finalized and presented to the government shortly, envisages a decrease of \$33.2 million or 1.8 per cent to OMEA urban utilities and an increase of \$24.4 million or 4.2 per cent to the rural customers? This widens the differential in open defiance and conflict with the government's stated policy. Does that concern the minister?

Second, will the minister please explain why it is that in finalizing the report before it comes to the government it has been circulated to the OMEA and to the major power consumers, but the Ontario Federation of Agriculture, the Ontario Association of Rural Municipalities—all those bodies that speak for rural Ontario—have never heard of the report and are not being consulted? Is this the way the minister treats consumers whose fate is being decided by others?

**Hon. Mr. Welch:** Mr. Speaker, as I recall the exchange between the honourable member and the Premier yesterday, there was some suggestion that the member was reading from a report that dealt with the subject of the differential as between urban and rural. The point the Premier was making was that we have not seen that report. By the member's own admission, that report is not the report on the differential; it is a report on costing and pricing which is a followup of the whole matter that was before the Ontario Energy Board for several months, at which all organizations to which he made reference made their representations. That report from the Ontario Energy Board was sent to Ontario Hydro for discussion and for some type of final response to the government. One can gather from the very sentence that the member has read that it has not yet been sent to the government.

In summary, yesterday I think the member was perhaps confused in his questioning in that he was making some reference to another report. That is the report we are expecting from Ontario Hydro dealing with the Hydro board's response to the April policy statement of the Premier which requested a reduction in the differential; that is a report we do not yet have. There is also the referral to Hydro of the results of the On-

tario Energy Board hearings on energy costing and pricing to which he now makes reference and which obviously would indicate Hydro has been doing some consulting prior to finalizing its report.

With respect to whether other organizations have had an opportunity to attempt to influence the final outcome, I would remind the member that the Ontario Energy Board held all kinds of public hearings. I am sure all organizations and individuals had an opportunity to attempt to influence the decision of the Ontario Energy Board at those hearings.

**Mr. MacDonald:** I wish the minister would not indulge in obfuscation of the issue. This is Hydro's response to what it is going to do in its rate structure. It is going to reduce the rate by 1.8 per cent to urban residential consumers and it is going to increase it by 4.2 per cent to rural consumers. That is what they are proposing to do.

Does the minister not feel that is in conflict with the government's requested view to Hydro that there should be a reduction in the differential, not an increase in the differential?

**Hon. Mr. Welch:** The minister has no difficulty separating the two issues in his own mind. It would seem to me that, in the regional meetings at which some of that material would have been discussed, it was clearly pointed out that Hydro now had this directive from the Minister of Energy as a result of the April statement of the Premier to reduce the differential. It is another thing to be talking in terms of the rate structure, whatever that may be, in the normal way as a response to those public hearings of the Ontario Energy Board. Ultimately these matters will be subject to some further refinement once there has been some determination with respect to the reduction of the differential.

By the very sentence the member read, we do not have the results of Hydro's determination even on the subject matter of that report, as he knows.

2:50 p.m.

**Mr. McKessock:** A supplementary, Mr. Speaker: When I returned from Alberta on the weekend, I found that my rural hydro users were very upset about the announcement last week of the 11.2 per cent increase, since they heard the Premier say on April 10, when my resolution was debated here, that rural rates were going to be reduced. Can the Deputy Premier tell me why Ontario

Hydro does not pay any attention to the Premier?

**Hon. Mr. Welch:** Unfortunately, we in this House do not have the opportunity to ask questions of the opposition but, if I did have that opportunity, I would ask the honourable member, notwithstanding the fact that he has not been in the House the last few days, why does he not read Hansard? If he had read Hansard he would have seen a very complete answer by the Premier of Ontario on this particular subject.

I am sure the member, as a fair-minded individual who perhaps has not had a chance to get caught up on his reading, will understand in that exchange that the Premier made it quite clear that the commitment he made on April 10 with respect to the differentials still stood. If I can just correct the member, who is making some reference to the announcement with respect to rates that go on every year, as the member knows we have to indicate before November 1 what the 1981 rate structure will be. That goes back to last March or April when the process was started once again according to all the rules and regulations, none of which was news. It was old news with respect to those rates and indeed in no way detracts from the commitment made by the government that the differential would be reduced. We are now waiting for the report from Hydro that was requested at that time.

**Mr. Nixon:** On a point of order, Mr. Speaker: I object to the indication from the minister who has just answered that the honourable member who asked the question was away from the business of the House in some irresponsible way. I know you are aware, sir, if the minister is not, that the honourable member was absent with a delegation to Alberta representing all parties.

**Mr. Speaker:** A new question. The member for Rainy River.

**Mr. Sargent:** On a point of order, Mr. Speaker: This is damned important to the farmers of Ontario. We have had only two supplementaries on it. It is very important to my area, and I would like to ask a question of the minister.

**Mr. Speaker:** It was raised yesterday.

**Mr. Sargent:** On a point of order, again.

**Mr. Speaker:** Is it the same point of order?

**Mr. Sargent:** The point of order is, why can we not talk about important things like the rural hydro rates? I am concerned about that.

**Mr. Speaker:** It was raised yesterday and we also discussed it today.

**Mr. Sargent:** Let's do it today again.

### FOREST CUTTING PRACTICES

**Mr. T. P. Reid:** Mr. Speaker, I have a question for the Minister of Natural Resources. When is he going to stop the lumber and pulp and paper companies in Ontario from turning northern Ontario into vast deserts with their clear-cutting operations of literally hundreds of thousands of square acres in the province? When is he going to restrict them in their clear-cutting operations and quit turning northern Ontario into a desert?

**Hon. Mr. Auld:** Mr. Speaker, I know that my friend the member for Rainy River does not believe that northern Ontario has been turned into a desert. He must have taken a very winding route.

I think I mentioned at the time of the debate on the changes to the Crown Timber Act that one of the things we expected to achieve with the forest management agreements was the method of both cutting and regeneration. I think I have subsequently made a couple of statements along those lines. In fact, in my brief opening remarks last Thursday to the standing committee considering our estimates, I referred to this again.

I have also said on a number of occasions that it is not feasible to restrict clear-cutting to a specific acreage. There are some areas where 100 acres might be too much. There are other areas, depending on the type of soil, the trees and the terrain, where 500 or 1,000 acres is not too much. Of course, a lot depends on the type of reforestation that is going to be practised as well.

As I have said before, I expect the application of forest management agreements to the licensed areas which the pulp and paper companies now have will go a long way to addressing this problem, although I do not expect it will happen overnight. However, there is greater agreement, I may say, within my own ministry between the fish and game people, particularly the game people, and the foresters as to what reasonable arrangements can be made to the mutual benefit of the people who need to use the wood and the people who are using the other resources.

**Mr. T. P. Reid:** The minister is aware that the forest management agreements do not deal particularly with clear-cutting. Is



he aware that his own ministry's reports in 1976 and 1977 indicate that up to 50,000 acres have been clear-cut? If one does not call that a desert, I do not know what is. Is he also aware that his own ministry's report says only about a third of the area can be regenerated, but there are clear-cuts of up to 50,000 acres that are not regenerating and that is affecting fish and wildlife as well and is denuding the northern forests? The ministry is not providing regeneration but, on the other hand, the government is giving these companies hundreds of millions of dollars to carry on the way they have. The people in northern Ontario are fed up. When is the minister going to act on these reports from four and five years ago?

**Hon. Mr. Auld:** I can only repeat what I have said, and I question some things the member has said.

Interjections.

**Mr. T. P. Reid:** Have you seen these pictures from your own ministry?

**Hon. Mr. Auld:** The statement by the member that we cannot regenerate a large clear-cut is not necessarily true. It depends on the method of regeneration, of course. A very large clear-cut on certain types of soil will be very difficult to regenerate itself naturally.

**Mr. Foulds:** Supplementary, Mr. Speaker: Will the minister explain or answer the charge that large areas of clear-cut, combined with his policy of not forcing the companies to clean up the slash from those clear-cuts, result in man-made factors that added to the fire danger this past summer and the large areas of fire? How does he expect to catch up on the backlog of cut forests when the forest management agreements cover only 16 per cent of the licensed areas of the province and cover only 32 per cent of those areas of the companies he has agreements with? In other words, there will be 68 per cent of the companies' limits that have no agreements for reforestation.

**Hon. Mr. Auld:** I indicated in a statement earlier this year when we had signed the first four agreements that there were many more agreements to come because we are only covering four companies and five forests at the moment. However, I expect that we will be signing further agreements in the forthcoming fiscal year and that in probably three or four years we will cover the vast majority of the licensed forest.

As for the clear-cuts having had major deleterious effects on the fires this summer, I think what the member is referring to is the

cutting methods themselves, not the size of the clear-cuts. My recollection is that in a couple of areas the large clear-cut areas acted as effective stops for the fires on a number of occasions.

**Mr. S. Smith:** Supplementary, Mr. Speaker: I ask the minister to consider the vastness of the clear-cut areas, and I ask him whether he is aware of the study by Heeney in 1977, which his ministry has, which shows that only one third of the area in a large clear-cut area could be regenerated because of changes that would occur in the soil or in the topography or because of residual trees left after logging, as the member for Port Arthur (Mr. Foulds), has just mentioned. Is the minister not aware of a study which says that only one third could be regenerated and that these clear-cut areas are a tremendous threat to the future of the forest industry in this province?

**Mr. Speaker:** That was inherent in the question put by the member for Rainy River. 3 p.m.

## MINING MACHINERY MANUFACTURING

**Mr. Laughren:** Mr. Speaker, I have a question for the Treasurer. Is the Treasurer aware that Jarvis Clark, which manufactures mining machinery, an area in which we lead the world in imports, has decided to expand its operations—as a matter of fact, it cannot keep up with its orders—and it is going to conduct that expansion in southern Ontario—in Burlington, I believe? Can the Treasurer tell us whether he has had any discussions with Jarvis Clark about why they would not expand in North Bay?

Further, is he aware that one of the reasons Jarvis Clark gives for moving to southern Ontario is that there are not enough skilled tradespeople in North Bay to meet its demand? Given the fact that there is a community college in North Bay, has the Treasurer had talks with his cabinet colleagues about the provision of programs so that we can meet the demand for skilled tradespeople in northern Ontario?

**Hon. F. S. Miller:** Mr. Speaker, first, I am delighted to hear of the expansion. The answer is, I have not talked to the company; the company may have talked to either the Minister of Industry and Tourism (Mr. Grossman) or the Minister of Colleges and Universities (Miss Stephenson).

I talked very recently to machinery manufacturers as a group, along with the Minister of Industry and Tourism, and I was delighted to find the general problem of Canada's

manufacturing industry in the machinery side is an overabundance of orders, something we seldom hear. The real problem they face currently is not so much the shortage of skilled help but the shortage of investment capital. This is, therefore, an area to which we are giving a great deal of attention.

**Mr. Laughren:** Does the Treasurer not think it is his responsibility to ensure there is balanced growth in this province and there are regional development programs? Is that not the responsibility of the Treasurer, rather than of the Minister of Industry and Tourism or the Minister of Colleges and Universities?

When is the Treasurer going to present us with a regional development strategy that encourages successful corporations or individuals to stay in northern Ontario so that we can have more balanced growth in the province rather than adding to the industrial congestion in the Golden Horseshoe?

**Hon. F. S. Miller:** As Minister of Economics as opposed to being Treasurer, I quite accept the responsibility the member just stated; that is, to attempt to bring balance to the economy geographically, as well as in other ways.

I would argue that one of the things this government has done that has been very well received in northern Ontario has been to emphasize the importance of the north by creating the Ministry of Northern Affairs and taking, from my regional priority budget, the regional priority moneys for investment there. I believe the ratio of money for the north to the south is 14 to one. The population would be almost the reverse. In effect then, regional priority moneys spent on the north per capita are many times greater than regional priority moneys spent on the south.

#### COSTS OF POLICING

**Mr. Roy:** Mr. Speaker, I have a question for the Attorney General, who has returned. It is a follow-up to the question asked by my leader last Friday and by the member for Victoria-Haliburton (Mr. Eakins) today to the minister's colleague the Provincial Secretary for Justice (Mr. Walker).

I have been asked by the voters of Carleton to ask this question on their behalf.

**Mr. Peterson:** Everyone of them? Thousands of them?

**Mr. Roy:** Requests just keep flowing in. They have not had a member, but they will get a good Liberal member shortly.

**Mr. Speaker:** Put the question.

**Mr. Roy:** What they want to know is, how can the Attorney General on the one hand tolerate the Ottawa-Carleton area having separate police forces for different municipalities and on the other hand penalize them in grants, giving them 50 per cent less in grants? What does he tell the voters of Carleton when Nepean is having some difficulty? There has been a 43 per cent increase in burglaries in Nepean this year. Why is it he does not want to give them the same level of funding he gives regional police forces across this province?

**Hon. Mr. McMurtry:** Mr. Speaker, I certainly have a message for the member to deliver on my behalf to the voters of the great riding of Carleton, and that is; if they want to have continued distinguished representation in this Legislature, they had better keep it on this side of the House. Would the member deliver that message? That is the best possible advice the member for Ottawa East could give to those very distinguished citizens of our province, and I really hope the member is sincere about wanting to communicate this message. Is that agreed?

When it comes to these unconditional police grants, the gentleman who is responsible for these grants is my colleague the Minister of Intergovernmental Affairs.

**Mr. Roy:** Mr. Speaker, can I direct a supplementary to the Treasurer with your permission?

**Mr. Speaker:** Without editorial comment.

**Mr. Roy:** That is right; without editorial comment, except to say that, with answers like that, we are going to win in Ottawa—

**Mr. Speaker:** Does the Minister of Intergovernmental Affairs have a response?

**Hon. Mr. Wells:** No, Mr. Speaker.

**Mr. Roy:** The minister's colleague stated on Friday that there were unconditional grants given to Nepean and the other municipalities in the Ottawa-Carleton area. What are these grants and what does the minister have to say to these voters, who are paying perhaps the highest rate of property tax in this province right now?

**Hon. F. S. Miller:** I do not have the detail on any specific grant to any municipality. I deal in the general overall policy and, as the member was told by the Attorney General, my colleague, the Minister of Intergovernmental Affairs administers the program.



**Mr. Cassidy:** Redirecting to the Attorney General, Mr. Speaker: A minute ago I heard the Attorney General threaten in the Legislature that the people of Carleton will get second-class service unless they—

**Mr. Speaker:** Order.

### DOMTAR DISPUTE

**Mr. Samis:** Mr. Speaker, a non-by-election question to the Minister of Labour regarding the strike by 1,700 Domtar employees in Cornwall, Don Valley and St. Catharines: Can the minister report to the House what initiatives his ministry has undertaken to try to get the two sides back to the bargaining table and to avoid a lengthy strike like the one in 1976?

**Hon. Mr. Elgie:** Mr. Speaker, following the conciliation proceedings that took place, mediation commenced; the last two days of mediation were on October 23 and 24 and, as the member knows, a strike was called on October 25. We remain in touch with the parties and, if there is some indication now or in the near future that bringing the parties back together again would be fruitful, I will be pleased to hear from the member or from the parties themselves.

**Mr. Samis:** Will the minister consult with the Treasurer to ensure that no unallocated portions of the \$10.5-million grant to Domtar are issued during the course of the strike to ensure the semblance of complete impartiality during the course of that strike?

**Hon. Mr. Elgie:** Fortunately we have the luxury and the pleasure of having the Treasurer here with us today. He has heard the remarks and will give them some consideration.

### TORONTO JAIL CONDITIONS

**Mr. Stong:** Mr. Speaker, a question of the Attorney General: In view of the occurrences over the weekend where a justice of the peace refused to conduct bail hearings because of the conditions in which he found himself, which included lack of duty counsel and lack of defence counsel but which also included finding himself in premises where delousing as well as personal searches were performed, will the Attorney General now consider better accommodation to carry out this very important part of the administration of justice?

**Hon. Mr. McMurtry:** Mr. Speaker, as I think the honourable member appreciates, the justices of the peace have been conduct-

ing these show-cause hearings on Sundays at the old Toronto Jail to accommodate accused persons who might otherwise have to wait until Monday.

I have not seen the transcript of the remarks of the justice of the peace, but I understand they relate to the cramped accommodation and, perhaps most important, to the lack of public access. Certainly I agree with the principle that the public should have access because of the importance of these proceedings. We are reviewing the matter to ascertain whether better accommodation might not be obtained, and we hope that will happen.

3:10 p.m.

**Mr. Stong:** Is the Attorney General contemplating a change of location within the Toronto Jail itself or a change of location outside the Toronto Jail to accommodate this function?

**Hon. Mr. McMurtry:** We are considering both at present.

### LIQUID INDUSTRIAL WASTE

**Mr. Swart:** Mr. Speaker, my question is to the Minister of the Environment, if I can have his attention.

How sincere is the minister in determining what is in Walker's solid waste dump when yesterday Walker's were busy excavating and at least shifting certain materials around all day without anyone there from the ministry to see what they were doing? Does the minister know that when the vice-president of the citizens' committee, Alderman Woodhouse, tried to see what was happening, Walker's called in the police and asked that a charge be laid?

Will the minister have someone at the site all the time, night and day, to see that the government is not hoodwinked again and that substances are not removed without his knowledge?

**Hon. Mr. Parrott:** No, Mr. Speaker, I will not have someone there all day. That is a bit ludicrous. The member is asking to have someone at every site in this province. That is precisely what he is asking. I will not do that.

Once the material is removed, one has to take it somewhere. One cannot just remove it and have it evaporate.

**Mr. Swart:** That has nothing to do with it.

**Hon. Mr. Parrott:** Yes, it has a lot to do with it. One has to take it somewhere. That may be news to the member but, when one removes it to take it some place, one must

find a licensed site to take it to. That might not be easy to do. If they move the material around, I think, that is essentially their business. It is a solid waste site; it is not a liquid waste site, as we well know. Therefore, there is no reason to think they would take that material to a nonlicensed site.

**Mr. Swart:** Does the minister not realize this excavation is being done to determine if there are drums and tank trucks buried there and what is in them? If there is no one there from the Ministry of the Environment, does he not realize they can be removed and the minister will not know?

From last September until December, chromium sludge from Ford was taken into that site without any testing at all by his ministry. Does the minister not think he should do an in-depth examination to see what is in that site?

**Hon. Mr. Parrott:** We are doing an in-depth inspection not only on that site but also on many sites. We are doing an inspection there. They have to find those trucks for us and they have to tell us what was in them; they are doing it for us and they have to tell us.

**Mr. Swart:** You are trusting them? We have nobody there.

**Hon. Mr. Parrott:** No. They have to find them first and then they have to tell us what is in them.

**Mr. S. Smith:** Supplementary, Mr. Speaker: Since the minister claims that he was somehow fooled by this firm in the past in terms of putting the stuff in, why does he expect they are going to be any more straightforward in terms of taking the stuff out? Will the minister tell us how many inspectors he could afford to hire to be there at all times during the excavation if he simply used the money he would get by cancelling his silly advertising?

**Hon. Mr. Parrott:** Perhaps the Leader of the Opposition might like to send over to me the waybill he had, and we could deal with those records together.

### LIE DETECTOR TESTS

**Mr. B. Newman:** Mr. Speaker, I have a question of the Attorney General.

On April 9, 1976, I asked about the use of lie detectors; I repeated the question on November 5, 1976, for a third time on December 10, 1976, again on November 14, 1977, and on November 23, 1979. The minister at an early date stated that a proposal

on the use of lie detectors was being developed and that he expected to be able to report to this House in relation to its use. That was dated November 5, 1976. When is the minister going to come down with a policy concerning the use of lie detectors?

**Hon. Mr. McMurtry:** Mr. Speaker, my recollection is that the House was advised at some point that the issue we were dealing with was in the context of employment. Any legislation that would be forthcoming would be related to employment standards, and the Minister of Labour would be carrying forward any such policy into legislation if that were the decision of that ministry. My recollection is that the honourable members were advised, since the situation really related to management and employees, that was the appropriate ministry to handle the matter.

**Mr. B. Newman:** May I simply ask the minister for a general policy from the ministry, not necessarily in regard to employment, concerning the use of lie detectors.

**Hon. Mr. McMurtry:** I think the honourable member's concern was chiefly related to the use of polygraph machines in employment situations.

With respect to the policy of the ministries of the Solicitor General and the Attorney General, it has always been our view that the polygraph machine, if properly utilized by properly trained individuals, is a useful investigative tool. We did not seek to adduce any of the evidence derived from polygraph tests into any court of law as evidence. Again, reflecting on the findings of Mr. Justice Donald Morand and his commission of inquiry into Metropolitan Toronto Police practices, I certainly agree that these tests are sometimes unreliable and should not be admitted in court as evidence. That is the general policy of the two ministries for which I have responsibility.

However, I think the use of polygraph machines in relation to employment situations is a somewhat different issue. While the police will use polygraph machines from time to time as an investigative tool, with the consent of an individual in respect of the application of the test, the relationship between employer and employee is somewhat different. Although it may be alleged the request is for the taking of a voluntary test, the very employer-employee relationship may make it somewhat less than voluntary.

I see it as a principle that must have different application, depending on the context of the use of the polygraph machines.



## KU KLUX KLAN

**Mr. McClellan:** Mr. Speaker, a document entitled *An Introduction to the Knights of the Ku Klux Klan* was distributed earlier this morning to a number of us in our caucus. I do not know how to characterize the document except to say that, as far as I am concerned, it is hate literature, and since it was distributed here through our postal services within the building, it is within your jurisdiction, Mr. Speaker.

I would like to forward the material to you and have you review it with the Attorney General to determine whether prosecution for the distribution of hate literature would be advisable.

**Mr. Speaker:** I will look into the matter.

3:20 p.m.

## REPORT

### COUNCIL FOR FRANCO-ONTARIAN AFFAIRS

**Hon. Mr. Brunelle** presented the annual report of the Council for Franco-Ontarian Affairs, 1979-80.

## ANSWERS TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Wells:** Mr. Speaker, I would like to table the answers to questions 248 and 342 on the Notice Paper, and the interim answer to question 334. (See appendix, page 3842.)

## ORDERS OF THE DAY

### SELECT COMMITTEE ON PLANT SHUTDOWNS AND EMPLOYEE ADJUSTMENT

**Hon. Mr. Wells** moved resolution 20:

That the matter of plant closings, and related issues, be referred to a select committee on plant shutdowns and employee adjustment for its consideration and report as soon as possible; and that the committee have the powers to call for persons, papers and things and to examine witnesses under oath, and the assembly doth command and compel attendance before the said committee of such persons and the production of such papers and things as the committee may deem necessary for any of its proceedings and deliberations, for which the honourable the Speaker may issue his warrant; and that the committee have power to print such papers and evidence from day to day as may

be ordered by the committee; and that substitution be permitted provided that written notice is given to the chairman of the committee before or early in the meeting; and that the committee be empowered to employ such assistance as it deems advisable, subject to budgetary approval by the Board of Internal Economy; and that the committee be composed of 12 members as follows: McCaffrey (Chairman), Cooke, Cureatz, Mackenzie, Mancini, O'Neil, Ramsay, Renwick, Taylor (Simcoe Centre), Turner, Van Horne, Williams.

**Mr. Nixon:** Mr. Speaker, we have had a great deal of success among the House leaders in reaching agreement in ordering the business of the House. I am sure you and all other members would agree. In this instance, however, we have failed to reach an agreement.

It has to do with the designation of the chairman of this very important committee. I want to spend just a moment, sir, bringing to your attention, and to the attention of the honourable members, why we feel, because of an agreement made in 1975 on the just and equitable distribution of these responsibilities, the chairman should come from the Liberal caucus.

The argument, of course, has nothing to do with the relative merits of the gentleman who has been proposed by the government or a nominee who may come from our party. We feel any honourable member as chairman could conduct the business of the committee in an orderly and fair way.

I would like to say, sir, the resolution very properly establishes this as a select committee. It deals with a matter we hope will not be a continuing responsibility of this House, such as the responsibilities taken on by standing committees which normally, as you know, meet during the session itself although they do meet between sessions from time to time.

We have distributed the chairmanships, the responsibilities for ordering the business of the standing committees, by agreement. It has remained unchanged since 1975. The select committees have been relatively stable as well.

There have been three fairly large and important select committees in operation since 1977. The Ombudsman's committee is chaired by a representative of the NDP, company law by a representative of the Liberal Party, and the Hydro select committee, which began in 1977, has been chaired by the member for York South (Mr.

MacDonald), who was nominated by the Progressive Conservative Party.

We feel that was a good selection and, I believe, the conduct of the committee would indicate that was so. But the three basic select committees that have been in operation since 1977 have been the Ombudsman, with an NDP chairman; company law, with a Liberal chairman, and Hydro, with an NDP chairman who was acceded to or nominated by the Conservative Party.

There have been a couple of exceptions beyond those three basic select committees. There was the select committee on the matter of Inco layoffs, which was chaired by a Progressive Conservative. There was the select committee on the provision of health services, which was chaired by a Progressive Conservative. The most recent was the select committee on the constitution, which was chaired by a Progressive Conservative.

We feel that if we are going to distribute fairly the responsibilities for chairmanship, we in the Liberal Party, with the support of the other members of the House, should be able to name the chairman. For that reason I move an amendment to the resolution put forward by the government House leader.

**Mr. Speaker:** Mr. Nixon moves that Mr. O'Neil replace Mr. McCaffrey as chairman and that Mr. Eakins be added to the committee.

**Mr. Martel:** Mr. Speaker, I want to indicate that I agree with much of what my friend has said, but there are a number of problems; namely, that if one looks over the number of chairmen over the last five years, the numbers are precisely the same. If one looks at the change of composition of various committees, one recognizes that there have been five New Democratic chairmen, five Liberal chairmen and six Progressive Conservative chairmen.

What bothers me about the whole selection of chairman is the ad hockery of the situation. Long ago I proposed that it should be done on a rotation basis. That way one gets away from trying to determine who is going to chair a committee. I am one of those people who believes we should have a policy that indicates the order based on the number of members in each party, so that it is not in question and not up to someone to break the tie; that is very difficult to deal with.

**Mr. Haggerty:** What about seniority?

**Mr. Martel:** One can talk about seniority or any system one wants, provided there is a system and not a form of ad hockery, which

leads us to this sort of dilemma when both parties want this particular chairmanship. I, for one, do not want it; nor does my caucus want this chairmanship, for some very obvious reasons. We do not want it.

By the way, while we have this nice system going, there is some indication that should the next government be a majority government, members of opposition parties from whatever side of the House might not be allowed to be chairmen. I remind the government of the day that if the combined opposition had taken that approach over these last five years there would not have been one Conservative chairman—not one. Over these last five years, a chairman could not have been elected. It was only because, on this side of the House, we felt that—

**Mr. Havrot:** Well.

**Mr. Martel:** "Well" what? That is how it occurred. If the member had wanted to vote on it every time, we could have taken every chairmanship.

**Mr. Foulds:** The opposition could have taken every chairmanship.

**Mr. Martel:** That is right. So when people say, "We do not want that policy because things might change," we could have insisted during these last five years that there would not have been a government chairman anywhere.

Interjection.

**Mr. Martel:** The Minister of Northern Affairs (Mr. Bernier) did not have anything positive to say in his estimates yesterday, so he should not contribute today.

Let me go back to speak to the government House leader because what I want to see is some indication that the government is prepared to establish some sort of system. What came out of the Morrow report was that there should be a panel of chairmen who are adequately trained to carry out the functions of a chairman.

**Mr. T. P. Reid:** That excludes the NDP.

**Mr. Martel:** That just cost the honourable member the vote. I could have insisted we have the chairmanship but we did not want it.

3:30 p.m.

I want to say that the Morrow report indicated we should train a panel of chairmen and draw on that panel; whether it be by experience or whether it be that they achieve certain expertise in conducting the order of business, we choose from that panel. I am asking the government House leader to



indicate that the government is prepared to establish that sort of policy so that we do not get into these binds where we have to vote out this person or that person.

I would hope that if we are going to do it today we would establish that policy here and now. I am prepared to allow the government to have the first chairman, but I want the policy decided because that is the only way we are going to get out of these positions. Of course, it has to be based on numbers. With the present make-up, for every four chairmen, two would be PC and one would be Liberal and one New Democrat.

To continue to play the game of ad hockery is unacceptable. I would hope we could hear from the government House leader what he is prepared to do to make sure we have some policy governing the appointments of chairmen.

**Mr. S. Smith:** It is a question of fairness, really.

**Mr. Martel:** It is a question of fairness. I am saying it is five, five and six at the present time. They have 58 members. There is something called a numbers game.

**Mr. S. Smith:** You have the right to it if you want it.

**Mr. Martel:** I do not want it. I say to my friend that that whole policy, whether it be select committees or standing committees, can hinge on an individual rotation basis or on the total number of chairmen. From that we can continue to pick whoever's order is next, but surely we have to get out of this bind once and for all.

**Hon. Mr. Wells:** Mr. Speaker, the member for Sudbury East puts forward the proposition that we should have some system for choosing committee chairmen. I do not particularly object to that. I think that in the evolution of what is happening around here in the orderly ordering of the business of this House we might come to that kind of position. We certainly cannot decide that today, but, as I have indicated to him on many occasions, I am not adverse to sitting down and looking at that kind of proposition.

We can go through the history of what has happened here on committees. The one thing that struck me was that out of that history one can pull any kind of argument one wants to. We can do that, too, in order to try to establish some degree of consistency to support the position we are putting forward. I realize the official opposition does not accept this position, and that is its right. It is

perhaps a healthy thing in this House that everything is not predestined and preordained by meetings before we come into this House. It does not hurt this House to debate this.

Let me indicate to members that for the year 1980 my records show we have 12 standing and select committees of this House. The New Democratic Party has chairmanships of four of those committees: the justice and procedural affairs committees, which are standing committees, and the Hydro and Ombudsman committees, which are select committees. The Liberal Party has chairmanships of four committees: the standing committees on social development, members' services and public accounts, and the select committee on company law. The government party has chairmanships of four committees: general government, resources and statutory instruments, which are standing committees, and the select committee on constitutional reform.

In actual fact, we have four committees chaired by members from the government party, four committees chaired by members of the official opposition and four by members of the New Democratic Party. That would suggest to me we are now starting another cycle and that it would be perfectly logical for a member of the government party to be chairman of this new committee.

Certainly, if it is the wish of this House later to establish another committee, I think we could give the assurance that someone from one of the opposition parties would be chairman of that committee. Therefore, I think I would have to say we are opposed to the amendment.

We are not, as stated by my friend the official opposition House leader, in any way questioning the ability of the people who are named in any of the motions. Particularly I would not question the ability of the person suggested as a chairman in the amendment. But we must be opposed to that because we believe the chairman of this committee should be the person we named in our original motion.

**Mr. S. Smith:** Mr. Speaker, this situation is a very disturbing one because it represents in essence the breakdown of a system which has worked for five years, and that is why we are concerned about it. The actual chairmanship of a particular committee is of lesser importance compared to the principle involved. There was an agreement to share these matters equally. Even if one looks at the calendar year rather than the life of the Parliament, as the honourable

minister wishes to do, and sees four, four and four, adding in the select and the standing committee chairmanships, he must surely admit one of those NDP chairmanships was a Progressive Conservative choice—

Interjections.

**Mr. S. Smith:** They exercised their option. They had an option and they could have had it. My friends in the NDP do not know that, but perhaps they were not there. It was a PC option—the House leader knows that—and the PCs chose to put the member for York South into that position. They should know that.

**Mr. Wildman:** That doesn't make him a Tory.

**Mr. S. Smith:** No, of course it doesn't make him a Tory. When I say it was a Tory choice, I meant the Tories made the selection. Good God, unbelievable. The member for Algoma thought I was accusing the member for York South of being a Tory. I said it was a Tory selection, not a Tory member. Good God. One would think there would be at least a minimum requirement before entry into this House.

I would point out that the public accounts chairmanship is an automatic chairmanship that goes by tradition to the official opposition. That is why the Ombudsman went the other way; it was to balance that.

Interjections.

**Mr. S. Smith:** The minister should know better than to get into this kind of thing. This is not a political—

Interjections.

**Mr. S. Smith:** Mr. Speaker, could I please address you, if nobody else?

**Mr. Speaker:** I wish you would. I am the only one who is listening to you.

**Mr. S. Smith:** Mr. Speaker, it is no particular pleasure to be standing in the House arguing over the chairmanship—

Interjections.

**Mr. S. Smith:** Mr. Speaker, can you keep control of the House? Will you try to do something to keep control of the House?

**Mr. Speaker:** Talk to me. I can hear you now.

**Mr. S. Smith:** The fact of the matter is that it is no particular pleasure to have to rise in the House to haggle over a committee chairmanship. For five years this Parliament has operated by decent agreement among decent people. The House leader of the government knows that no matter how we cut it, in the

life of this Parliament, in the life of the two minority Parliaments or even in the calendar year, this is the time for either the NDP or the Liberals to appoint a chairman of this forthcoming committee. That is what it is.

Obviously, we can vote in this House if we wish and call today Wednesday if we prefer. By majority vote we can suggest that today is Wednesday, if the members like. If that majority vote occurs, then we will have to live with it. But I say to the members very simply this: This is not a political issue; this is a matter of how this House operates. Frankly, the chairmanship is not that important to us, but the principle of how we are ordering the business of this House is important to us.

Interjections.

**Mr. Speaker:** Order, order.

3:40 p.m.

**Mr. S. Smith:** The unmitigated arrogance of the people opposite is one of the reasons they are going to be replaced by the people of Ontario very shortly.

It is, as I say, no pleasure to have to address that group of barking seals and roaring hyenas. I simply put it to you, Mr. Speaker, that fair is fair. The Minister of Intergovernmental Affairs knows we have ordered this House by agreement now for five years. If he wants no longer to order this House by agreement but to have every agreement come in front of this Legislature for a vote, let him continue as he is doing. We will take every agreement in front of this Legislature for a vote. Mr. Speaker, I tell you that might come.

The House divided on Mr. Nixon's amendment to the resolution, which was negatived on the following vote:

#### AYES

Blundy, Bolan, Bradley, Breithaupt, Conway, Cunningham, Eakins, Epp, Gaunt, Haggerty, Hall, Kerrio, Mancini, McGuigan, McKessock, Miller, G. I., Newman, B., Nixon, O'Neil, Peterson, Reid, T. P., Riddel, Roy, Ruston, Sargent, Smith, S., Stong, Sweeney, Van Horne.

#### NAYS

Ashe, Auld, Belanger, Bernier, Birch, Breaugh, Brunelle, Charlton, Cooke, Davidson, M., Davison, M. N., Drea, Eaton, Elgie, Germa, Gregory, Grossman, Havrot, Henderson, Hennessy, Hodgson, Isaacs, Johnson, J., Johnson, R. F., Jones, Kennedy, Kerr, Lane, Laughren, Leluk, Mackenzie, Maack, Martel, McCaffrey, McCague, McClellan,



McMurtry, McNeil, Miller, F. S., Newman, W., Norton, Parrott, Philip, Pope, Ramsay, Renwick, Rotenberg, Rowe, Samis, Scrivener, Smith, G. E., Snow, Stephenson, Swart, Taylor, G., Taylor, J. A., Turner, Villeneuve, Walker, Warner, Watson, Wells, Wildman, Williams, Wiseman, Ziemba.

Ayes 29; nays 66.

4:10 p.m.

**Mr. Speaker:** Shall the resolution be concurred in?

Those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion the ayes have it.

Resolution concurred in.

**Mr. Renwick:** Before the orders of the day, I move, seconded by Mr. Ziemba, that for the remainder of this session we dispense with statements by the ministry on Thursdays.

**Mr. Speaker:** The motion is out of order.

#### SHORELINE PROPERTY ASSISTANCE AMENDMENT ACT

**Mr. Rotenberg,** on behalf of Hon. Mr. Wells, moved second reading of Bill 139, An Act to amend the Shoreline Property Assistance Act, 1973.

**Mr. Rotenberg:** Mr. Speaker, the Shoreline Property Assistance Act, which was enacted in 1973, authorizes a municipality to borrow money from the province at a current interest rate of only eight per cent. The municipality then lends these funds at the same rate to owners of shoreline properties that have been damaged or eroded for works designed to rehabilitate and protect such properties and for repairs to buildings and structures. The act requires that a municipal council obtain the approval of the Ontario Municipal Board before it passes a bylaw authorizing the borrowing of moneys from the province for the purposes of the act.

Bill 139, An Act to amend the Shoreline Property Assistance Act, 1973, was given first reading by the Legislative Assembly on June 19, 1980. In his introductory statement, the minister indicated that the main purpose of the bill was to correct problems in a number of municipalities where borrowing bylaws were passed and loans and debentures issued without the approval of the Ontario Municipal Board before the bylaws in question received third reading. To accomplish this, the bill proposes to validate all of these bylaws, loans and debentures except for four specific loans relating to individual properties in the township of

Malden, where the persons who acquired these properties after the loans were issued did not receive proper notice of the existence of the loans.

I would like to take a moment to describe in somewhat more detail the various provisions of the bill. Sections 1 to 6 are intended to strengthen the administration of the act and to prevent similar problems from occurring in the future.

Section 1 proposes to remove the stipulations in the act that no loans to a property owner for the construction of shoreline works may exceed 90 per cent of the total cost or a maximum amount set out in the regulations, whichever is less. Section 5 proposes to do the same thing with respect to loans for eligible building repairs. In future, the maximum limit of such loans will be set by regulation.

Section 2(1) and section 7 will provide greater flexibility in the term of the debenture issued by the municipality to the province. Instead of being fixed at 20 years, in future the term will be set by regulation.

Section 2(2) will require the municipality to submit to the province, along with the debenture and an offer to sell, a certificate showing that the shoreline work has been completed and showing the value of such work. This will enable our ministry to make certain that the work falls within the terms of the act, that the loan amounts do not exceed the permitted maximum and that the works have been completed satisfactorily.

Section 3 of the bill is complementary to section 2(1) and simply seeks to ensure that the term of a loan from a municipality to a property owner will be the same length as the term of the debenture. Section 4(1) is also complementary and proposes to require that the annual special rate on the land of an owner who has borrowed money from a municipality must be sufficient to discharge the total loan, with interest, within the term of the loan.

Section 4(2) will require a municipality in future to register in the proper land registry office the bylaw by which it imposes a special annual rate on a property. The purpose of this new provision is to ensure that individuals who buy affected properties are made fully aware of shoreline loans at the time of purchase. At present, there is no such requirement for registration of the rating bylaw, although the act does require a municipality to register a copy of its bylaw authorizing it to borrow money from the province.

I will be introducing a motion in committee to withdraw sections 4(3) and 4(4) from the bill. These two provisions were originally inserted to protect the interests of an individual who purchased an affected property after the passing of a rating bylaw but prior to the registration of the bylaw by the municipality. We now believe this to be unnecessary in the light of the new administrative procedures that have been adopted by our ministry.

In future, the province will not purchase a debenture from a municipality under this act unless all relevant rating bylaws required to recover the total amount of the debenture have been registered. This practice will eliminate the type of problem envisioned by the two sections that are being withdrawn.

4:20 p.m.

Sections 7 and 9 deal specifically with the existing problems in a number of municipalities, to which I referred earlier.

Section 7(1) deals with the failure to obtain prior OMB approval of building bylaws by validating all bylaws passed, all debentures issued, loans made and rates imposed under the Shoreline Property Assistance Act, 1973.

However, to take account of the special circumstances and problems that existed in the township of Malden, section 7(2) declares the special rates imposed on four properties in Malden to be invalid. This is being done partly because one of these properties has been to court and the courts have already declared such laws to be invalid. I am planning to introduce a motion in committee towards a subsection to offer additional protection to the owners of these properties. The land to be exempted is described in a schedule which is contained in section 9 of the bill.

Section 7(3) provides that the township of Malden will remain responsible for repaying the money borrowed from the province in respect of the four exempted properties. Malden has had an unfortunate history of problems over the past several years which a new administration is now solving.

Finally, because of the deletion of sections 4(3) and 4(4) of the bill, section 8 will be unnecessary and I will be introducing a motion in committee to withdraw it.

It is essential that this bill be enacted so this very valuable shoreline property assistance program can be protected and improved, and I would ask for the support of all members of this assembly.

**Mr. Breithaupt:** Mr. Speaker, I am pleased to rise in support of this bill in principle. It certainly will be of some benefit as there are changes that are required because of changes in activities since the act was brought in in 1973.

I know my colleague the member for Essex South (Mr. Mancini) is particularly interested in the Malden matter and will speak to it. Other colleagues of mine as well have particular interests as they represent areas along the lakeshore in southwestern Ontario that have had some difficulty over the past.

There are some questions I would ask the parliamentary assistant to reply to as second reading of the bill is completed. I am interested in the comment that the 90 per cent term and the 20-year term are being removed and that both of these are going to see replacement in regulation. Is it the intention by regulation that a higher rate than 90 per cent or a longer term than 20 years might be expected in some of these circumstances or, in effect, is that still going to be the maximum against which the various amounts and lengths of time are to be measured?

As well, the limit by regulation of 90 per cent comes to mind when I wonder whether 100 per cent of the figure has been ever given in the past or what was the intention behind 90 per cent in the first place.

The other sections of the bill are all supplementary to these particular principles and they have our support.

**Mr. Charlton:** Mr. Speaker, I too rise in support of the bill. The bill obviously deals with the number of concerns and problems that have evolved out there. I must say I am happy to see the government for a change taking the time to deal with a number of those specific problems in the bill, as opposed to correcting the overall legislative problems without dealing with the specific problems the bad legislation has caused. That has happened a number of times in the past.

I also have a couple of questions of the parliamentary assistant, and they relate to the regulations that will be set. I would like to know, for example, how the government will determine by regulation the length of a loan to the municipality for the purposes of lending to an individual; how the term of the loan to the individual will be set that will ultimately set the rate of payment back to the municipality by the individual property owner; and what kind of a level they en-



vision setting the maximum at. My understanding is that the maximum would be 90 per cent, as it was in the past, up to a set maximum by regulation.

I am just wondering, first of all, at what level they envision setting that maximum and whether that will affect or restrict moneys for these kinds of works that perhaps have gone out at higher amounts in the past.

**Mr. Mancini:** Mr. Speaker, I wish to participate in the second reading debate concerning Bill 139. As has already been mentioned, I have some specific concerns about the bill because it deals specifically with one of the municipalities I represent, and I will be making comments about that a little later on.

I would like to bring several things to the attention of the parliamentary assistant. The first is that we are certainly pleased that we are going to have some flexibility within the 20-year term of repayment. I have come across numerous constituents who have wanted to repay the loan in a shorter time.

You may know, Mr. Speaker, that all of my riding fronts along the waterfront. Some of it fronts along the Detroit River, but the majority part of it is along Lake Erie; so legislation such as this is very vital to my riding. We certainly support the flexibility of the 20-year repayment period, and these arrangements can be worked out between the municipality and the individual.

Section 2(2)(8) on page one tries to correct some of the problems that I have encountered in my own riding. For example, we do know that engineers are paid a fee to inspect the work and to make sure it is done properly. However, I have sometimes found that, although the work may have been inspected, it was possibly not thoroughly inspected. The home owner is left with the breakwater or with some waterfront work that does not even last a year before the work starts to crumble.

I have had several specific examples of that and, try as I might, I have been unable to get anyone to take responsibility for the work. The engineer says, "On the day that I inspected the work, the work was fine." The municipality says, "We just lend the money." The province of Ontario says, "We just lend the money to the municipality."

Therefore, the constituent or the citizen in the province who has had the work done has no recourse, save the fact that he may wish to take the engineer and the construction firm that did the work to court. Of course, that involves quite a bit of money. It involves

time off from the individual's job and is not a practical way of dealing with the problem.

If I understand section 2(2)(8) properly—and I hope the parliamentary assistant can deal with this in his reply—it says: "... a copy of the inspection and completion certificate mentioned in subsection 1 certified by the clerk with whom it was filed shall accompany the debenture delivered to the Treasurer of Ontario."

I want to make sure that someone along the line takes responsibility for the work done and, within a period of one year or whatever time frame the parliamentary assistant thinks reasonable, if the work is shown to be faulty, that the citizen who has borrowed the money and who must repay the money has a course of action to take to get the work properly fixed. That is a very important concern that I have, and I wish the parliamentary assistant would deal with it in his response.

4:30 p.m.

Second, I am very concerned about the section in the bill that is going to put a limit on the maximum amount of money to be borrowed. The parliamentary assistant may not be aware that in my riding there is an ethnic club which has its base in Windsor but, because of the cost of land et cetera in the city, they have decided to buy a park in Essex county to hold many of their events. The park they have bought fronts on Lake Erie. They have bought quite a large parcel of land, and they have owned this land for some time.

I know they are having erosion problems, and they are approaching the municipality in which the land is situated to borrow the money under the Shoreline Property Assistance Act to have this fixed up. If the government imposes a limit on that, they are in no position to get all the work done that is necessary. Thus the intent of the program, which is to ensure that all the erosion along the shoreline is adequately fixed, will not be met.

It is not just individual home owners who have this problem. If clubs such as the Caboto Club of Windsor wish to have parkland in the county to hold very legitimate functions on behalf of their members, we must also take into account their considerations and concerns. I hope we are going to get an answer on that.

I would also like to mention section 4(2). Under this, the government is now requiring, as a matter of law, that all the municipalities must register the amounts of money borrowed. I assume this is so that if the prop-

erty is sold the lawyers acting for the buyers can then inform their clients there is a lien against the property. The buyer being aware that there may be some encumbrances on the property, this is one of the things he has to negotiate with the person who is selling it. That is the part where I have some concern about the province's role as far as the retroactivity of this legislation is concerned.

The problem in the township of Malden is that, for reasons known only to the individuals involved, when these loans were made the administration of the municipality did not properly register the amounts of money borrowed. Therefore, when the properties were sold—specifically the four outlined in the schedule of the bill—the new owners of the property were unaware of the encumbrances. Once the properties had been purchased and they had settled into their new homes, they received bills from the municipality telling them they owed this money.

That is fine. I am glad these people are going to be relieved of that payment. It is only fair that this be in the bill. An unsuspecting person who buys a home and has a lawyer check the matter out and finds no encumbrances should not be penalized or have to pay the money back.

But I do say the province does have some responsibility to assist the municipality, specifically Malden in this bill. If the province had no say in the matter before, they certainly feel they should have had a say; that is why they are introducing section 4(2), which makes it mandatory for the administration of the municipality to have that matter registered.

The province should give consideration to assisting the township of Malden. It says very explicitly in the bill that the township of Malden is not relieved of any of its obligation. That basically means they have to repay whatever they have borrowed from the province to lend to individual home owners. Because of mistakes made by the administration, which has since been removed, they have no opportunity whatsoever to recoup that money. Because of that, I believe Ontario does have some obligation to the township of Malden.

Basically, that underlines my concern. I will be making further comments in the clause-by-clause debate.

**Mr. R. F. Johnston:** Mr. Speaker, I have a couple of questions I would like to raise, because I am unclear as to the scope of

coverage here. My riding of Scarborough West has a major portion of the Scarborough Bluffs in it. The approach that has been taken over the last couple of years in terms of preventive work to stop the erosion of the bluffs has been done through the Metropolitan Toronto and Region Conservation Authority. In the last few years we have been successful in doing a major endikement or berm kind of construction at the foot of a couple of the streets below the bluffs.

This summer there was an attempt to get the agreement of all property owners in the next area along the bluffs to participate in the program and to cede their title for land, which I understand goes well out into the lake at this point, to the conservation authority so they could further complete the endikement process they are up to. Unfortunately, a few of the property owners felt they could not in all honesty do it because the amount of property that would be taken, I gather partly because of the severity of the slope at that point, would be as much as 100 or so feet. They felt they were giving up too much, whereas others were only having to give up about 30 feet along the shore. As a result, we did not get as much done this summer in terms of preventive work as we hoped we would accomplish.

I am wondering how this kind of act, allowing for particular individuals to get compensation through the municipality et cetera for work they might do, might be incorporated with what the conservation authority is trying to do. If we have 50 home owners who have agreed to the conservation authority work and are willing to cede their properties and if we have two who are not, whose properties are in the middle of that, would it be possible to make arrangements through the municipality—I am not sure if Scarborough or Metro would be involved—to provide the assistance to have it done through this program to fill those gaps? Or are we going to have to wait and hope that at some point or other that owner is going to go along with the plans of the conservation authority?

I would like some assistance with that, because major efforts we have made over the last couple of years now look like they are being stopped as a result of this inability to get unanimous accord from all the home owners. I am interested to know whether there is any way we can use this vehicle, once it is passed.



Mr. G. I. Miller: Mr. Speaker, I would like to make some general comments on the Shoreline Property Assistance Act. Only yesterday morning I met in my riding of Haldimand-Norfolk with the regional mayors of the six municipalities in regard to shoreline protection. Over the years we have had two programs for shoreline protection. One is through this particular bill, which provides 100 per cent of a loan at eight per cent with its being repaid to the municipality. The other is an 80 per cent grant to the municipality if it affects roads; the municipality picks up 20 per cent of the funding. Consequently, we have argued and discussed with the Minister of Intergovernmental Affairs (Mr. Wells) that this same program perhaps should be made available to home owners where conditions warrant.

I realize we cannot protect all the shores of our Great Lakes, as that would be impossible, but there are some specific areas that are problems and warrant the expense and should be protected. The jobs are too big to be protected by the individual. The work is done on a piecemeal basis. The home owners can borrow through the municipality but the work can be washed away because it has not been done properly. Consequently, the municipality is left with that expense.

I know the minister was there. I hope his people will take another look at it to see whether something can be worked out down the road to give more assistance where these conditions warrant.

4:40 p.m.

Let me give an example. At Port Dover there is a residential area something similar to that adjacent to the Scarborough Bluffs in the riding of the member for Scarborough West (Mr. R. F. Johnston). There is a steep bank eroding away the real estate, which is valuable property. It is only with the assistance of the municipality or the region that a long-term plan can be put in effectively. Again, I hope that will be given some consideration. I realize it is not going to be done through this bill.

My other area of concern is an area between Long Point and Port Stanley where there are steep banks and good agricultural land. It is eroding at the rate of several metres a year. Once it gets to the road right of way, perhaps the ministry will step in with assistance under the 80-20 plan and something may be done.

For example, this past year there was one farmer who owned 100 acres. To protect his

property, he spent \$15,000 putting gabions parallel to the shore and spaced at intervals of a couple of hundred feet. He has accepted that total expense to protect his farm land. He was able to get assistance of \$1,500 through the Ministry of Agriculture and Food's capital projects program. I think that was all the assistance that was available there. Again, the magnitude of the job outweighed what the individual was able to finance. There have to be some adjustments to our program to give better assistance to deal with these individual problems.

It also came out that only \$825,000 had been spent in this shoreline assistance program over the past five years. That is a trivial amount of money but, with the necessity for the program to save and protect our agricultural land and our real estate, we may have to reassess it and approach it in a different manner where the problem warrants. The approach should be one where the municipality has input and makes a request along that line. We have to have input from the local level to justify the expenditure. That is an area that needs some attention.

Mr. Haggerty: Mr. Speaker, I would like to address myself to Bill 139, An Act to amend the Shoreline Property Assistance Act, 1973, and raise a couple of issues that I think the parliamentary assistant should be looking at.

I do not know whether he is aware of the recent planning that has taken place in the Niagara region as it relates to shoreline property. We now have what is considered hazardous land. There are certain restrictions that apply to persons who own property along the shoreline. When I look at section 5 of the act, I have to say there is conflicting legislation.

To put it in perspective—and perhaps the parliamentary assistant can follow what I am trying to convey to him—I have received a letter from a constituent of mine. It says:

"Enclosed find a copy of a letter of protest sent to the region of Haldimand-Norfolk. We are writing this appeal to you, our elected representative to the Ontario government, to appeal the proposed zoning by-law 1-DU80 as brought forth by the region of Haldimand-Norfolk. In particular, article 6.3.2. which clearly discriminated against certain waterfront owners we find repugnant."

The letter is addressed to the clerk of the regional municipality of Haldimand-Norfolk. It says: "Dear Mrs. Johnston: This is to notify you of our objection to clause 6.3.2.—Replacement of Non-Conforming Uses,

found in section 16: General Provisions. In particular the second part of clause 6.3.2. which states:

"This provision shall not apply to permit the replacement or repair of a building or structure in an [hazardous land] zone which has been damaged or destroyed to such an extent that substantial replacement of the building or structure would be required to restore the building or structure for use, we find most objectionable and we protest that this is an infringement on our rights as citizens, taxpayers and land owners. To state that an individual does not have the right to rebuild or repair a dwelling owned by him if it is damaged or destroyed goes beyond the powers of the Haldimand-Norfolk region or any governmental body."

The same clause could be found in the Niagara regional planning guidelines set out for hazardous lands in the township of Wainfleet. The explanatory note for section 5 of the bill reads: "Section 13 of the act makes part I of the act applicable to the repairing of a building or structure damaged by high water levels, or certain other specific causes. The section stipulates that no loan to a property owner may exceed 90 per cent of the cost of the repair or the maximum amount set out in the regulations under the act, whichever is less. The amendment will provide that no such loan may exceed the maximum amount set out in the regulations." As I understand that, there may be some flexibility in this particular area.

May I draw to the minister's attention the two conflicting pieces of legislation? One area of the region says you cannot rebuild a damaged cottage along a lakeshore that is defined as hazardous land, and yet we have an act that says we will provide loans to assist in the rebuilding of such a structure. I ask the parliamentary assistant, which law should a property owner abide by?

There is another area I want to bring to the minister's attention. In my riding I have quite a bit of shoreline; it covers the Niagara River, the town of Fort Erie, the city of Port Colborne and the township of Wainfleet. I believe it was in 1973 that my colleague the member for Essex North (Mr. Ruston) put through a resolution, which was accepted by the House, to have a discussion on the high water levels in the Great Lakes basin, particularly in Lake Erie. I know the damage that is caused, particularly because over the weekend we had another severe storm in our area; it no doubt has caused

considerable shoreline erosion and damage to some of the properties along there.

I think the region is right in bringing to the attention of anybody who lives there or is purchasing property along the lakeshore that it is hazardous land. Under the Niagara regional plan, you must have a particular setback on your land to construct a building. In other words, unlike a few years ago, you cannot build the house right out on the shoreline overlooking the lake where you have the problems of wind and water erosion.

My point is that I noticed in my area that the type of retaining walls put in are not suitable. They are not permanent, because in some cases the force of the water will move the retaining wall. In some places they are dumping large boulders along the lakeshore. I do not think that will solve the problem of soil erosion there, because the force of the wind and the heavy waters that batter the retaining wall will cause the water to shoot above these large boulders, further eroding the sand and shoreline; as a result, these large boulders will shift out towards the lake.

I suggest that there should be a regulation requiring that the retaining wall must be of a suitable nature and will not shift over the years. I think the boulders do serve a purpose, but they should be staggered or stacked in tiers that will provide a suitable breakwall. In some cases, they should be designed similar to a snowplough; that is, the top comes out instead of being recessed so it will throw the water back. I suggest there is a problem in the suitable type of retaining walls required.

4:50 p.m.

The other point I wish to bring to the attention of the minister concerns some property owners who do not have title to the shoreline where these retaining walls are being built. The decision of Mr. Justice Stark, relating to the ownership of shoreline property in Erie riding in 1975, said that any property owner who owned land abutting the lakeshore, if he maintained that shoreline, he would have control of it, or it would be deemed to be his land. There are problems with this particular area now where we find property owners putting out large boulders that are not there necessarily to protect the shoreline but to protect their right, if we wish to call it that, to the waters of Lake Erie. This is depriving many citizens in the area of their right to the shoreline.



I suggest it is an area the minister should be looking at, because I can see there are going to be further problems there. I can see there are still going to be battles of the beaches in my area in preserving the lake-shore for its citizens too, without it going to one or two individuals who can block off half a mile of sandy beach, and say it belongs to them. One cannot even land a boat along that shoreline without having someone call some law enforcement agency to tell that person to remove that boat from the shoreline.

As it is an area that is of concern to me, if the government is going to get involved in it and pay some of the costs for protection of the shoreline, then I suggest that it must become public lands and not be for private individuals. I have problems on my land in Sherkston. For example, if I want to get rid of the water on my land, I have to pay for that. I suggest there is a common-law principle involved here, and that is what I am trying to convey to the minister. He should be watching and moving with some caution in this particular area. Suitable retaining walls should be put up, provided they are put on lands people own and not on public beaches or land belonging to the crown.

I would like to have the parliamentary assistant's opinion on the conflicting legislation as to whether it relates to municipal legislation or provincial legislation. For example, do they have a right to rebuild if a cottage is destroyed?

**Mr. Ruston:** Briefly, Mr. Speaker, I want to ask a question on the amendment to the Shoreline Property Assistance Act with regard to removing the 90 per cent of the cost of building the shoreline protection. The amount will be now set by regulations. Can the minister give us any idea what criteria they will use in figuring what the amount should be? Will it be the size of the lot or whatever the case might be? I wonder if he has anything that he might be able to say in reply with regard to that matter.

With regard to high water, I have had calls from some people who live along the lake who have individual opinions as to why they think the lake levels have stayed up over the period of the last few years. They did go down somewhat on Lake St. Clair, which I am involved in because of the total length of my riding, and on the Detroit River. Now the level has come back up to almost the height it was in 1973, or within a few inches. They claim it is because no

dredging was done on the channels in Lake St. Clair and the Detroit River, especially in Lake St. Clair, which we all know is a very shallow lake and the channels have to be dredged to get much more over 20 feet in depth in the main part.

They are of the opinion that this lake level is being controlled so that ships can carry a heavier load because with the higher water they will not be hitting bottom in areas where it has not been dredged. It has not been dredged because of the mercury that got into the lake in the late 1960s. We do not know how long ago really, but it was discovered in 1970 or around that time. They are afraid to dredge because of the pollution and because bringing that material up may cause more problems. In other words, they would rather have it sitting down on the bottom of the river where no one is getting any effect from it. That is a matter of concern that some people have.

An improvement in the bill is that the bylaw must be registered at the registry office and, to make sure that is done, proof must be given of that before the loan is given—I certainly agree with that principle—so everyone knows when purchasing or selling property if there are any loans against it.

There is nothing else I can think of right now that should be said on the bill, but I wonder whether the minister might be able to give us any idea of how he will designate the amount of funds that will be used in each particular case.

**Mr. McGuigan:** Mr. Speaker, as a member representing a riding that is on the lake-shore, I have a concern that I simply want to express at this time. That involves the practice used mostly by cottage owners that has been quite successful, which is putting groynes out into the lake. A groyne is a steel or wooden wall; in recent years they have been going to steel. They put this wall out into the lake, I would say 60 to 80 feet, perhaps even 100 feet; it traps the gravel and creates a beach. By having a beach they have really taken the same engineering feature that the people in Holland have been so successful at in reclaiming land from the sea. It provides a slope for the waves to dissipate themselves against as they go up that slope rather than pounding into a vertical wall and eventually pounding that wall down.

I am speaking mainly about residential properties, because there are many areas along the lake where there are summer homes and permanent homes. These people

have been quite successful in this effort. But that kind of success really depends upon a group of people joining together and making a continuous project out of this so there is no gap. On occasion, some person in the centre of one of these sections may say: "I am satisfied to allow the erosion to go on. I don't wish to contribute." Therefore, they do not contribute, but they automatically benefit from the work that is done by the other people.

The thought has been in my mind for some time that perhaps we should be thinking of legislation along the lines of the Drainage Act whereby, if a certain percentage of the affected people agree through a vote to go for protection, the other people would be compelled to put up the money or it would be charged against them through their taxes.

There is another feature of this work to which I do not know the answer either, and that is when we come to the last person in line where these groynes are put; the action of the sea is to dig in behind those people, with the result that they are adversely affected by the operation. Somehow or other their interests must be taken into consideration. Whether a sort of diminishing distance in the groynes would protect them, or whatever engineering could be done, I have no idea. However, it is a problem, and I point it out to simply mention at this time that we should be giving some consideration to such legislation.

5 p.m.

**Mr. Isaacs:** Mr. Speaker, I want to touch on one brief point with regard to this bill; it is in a sense a little of a lament about something that has not been included, but I want to tie it into the funding changes that are included in the bill.

One of the serious problems which arises in major parts of my riding that border on the south shore of Lake Ontario is that the erosion control measures put in place under the act do not survive the lifetime of the repayment schedule that is set up. Hence people, for example, on Cherry Beach in Stoney Creek or on Fifty Point in Stoney Creek, although that problem is now being dealt with in other ways, are paying still under the Shoreline Property Assistance Act. Yet currently they are receiving no shoreline property assistance, because what was put in place some seven or eight years ago has been washed away by the tremendous force of Lake Ontario.

Having moved to Stoney Creek and living by the lake, as I now do, it is just incredible to go out on a winter's day when there is a heavy storm, or sometimes at night, to watch the force of those waves. The power of water is mightier than any of us, and it is easily capable of moving any of the works that have been put in place along that shoreline in the last 10 years. Even some of the more current works are in some serious danger of being moved out by the water because of the lack of continuous shoreline protection.

I wonder whether the parliamentary assistant, on behalf of the minister, might be able to respond to that problem and indicate whether the funding that is proposed under this bill might not be amended in some way so that people are not stuck with a fairly heavy repayment schedule that was imposed upon them by the municipality—even though they participated in some way in the decision for shoreline protection that is long gone and is providing them with absolutely no shoreline protection at all.

I think that is a very important point because, unlike most local improvements, shoreline protection comes with no guarantee or commitment that it is going to last. Yet for these people, the payments seem interminable, and I hope the government is able, through an amendment to this bill, somehow to deal with that very serious problem.

Other than that, I fully concur with the comments that have been made by my colleague the member for Hamilton Mountain (Mr. Charlton) and look forward to supporting these necessary changes to the legislation.

**Mr. Rotenberg:** Mr. Speaker, I thank the honourable members who spoke on this bill for their support and for their very relevant questions.

I would like to preface my remarks by indicating that this is not a bill to solve all the shoreline problems on the various lakes within our province. This is a bill to handle a very specific problem, and that problem is really to assist a home owner or a property owner in financing work that he undertakes on his own.

A number of other questions were raised and I will try to deal with them individually. But let us understand, this is not a bill to solve all the shoreline property problems. This is a bill simply, as it was envisioned in 1974, to assist home owners, through their municipality, in being able to finance work



which they would normally undertake on their own.

We have to understand that the role of the province in this case is the role of a banker, and that is all the act was set up for. It does assist, and this is what we tried to do in 1973, but basically the role of the province is as banker to the municipalities to help their individual property owners. There are other acts, through conservation authorities and so on, to deal with public properties and other situations. Keeping that in mind, I would like to try to answer all the specific questions that have been raised.

As far as the 90 per cent is concerned, that figure is not mandatory at present. Section 3(8) of the act indicates, "No loan for the construction of works shall exceed 90 per cent of the total cost of the works or a maximum amount prescribed by the regulations." What it says at present is 90 per cent or by regulation. We are simply suggesting that we take out "90 per cent." For clarity, I would point out that there are two regulations now which restrict that 90 per cent. One says, in effect, a maximum of \$150 per foot of shoreline or 90 per cent, whichever is the lesser, and the other says a maximum of \$20,000 or 90 per cent, whichever is the lesser. The 90 per cent is somewhat qualified at the moment.

We have no intention at the moment of changing the 90 per cent, but I would point out that 90 per cent is the maximum. It is up to the municipality whether it wishes to lend 90 per cent or some lesser amount. We again act as the backup banker to the municipality. It is not a fixed 90 per cent; it is a maximum of 90 per cent. As I say, we have no intention of changing that at the moment.

As far as the term is concerned, the term of 20 years is fixed. We feel there should be some flexibility in term, both from our point of view and from the municipality's point of view. This may, if I can start at the bottom, answer the question of the member for Wentworth (Mr. Isaacs), if he will listen for a moment, because he complained about the fact that people were paying beyond the term of the life of the improvement. It would be available to the government to prescribe that all loans will be something less than 20 years or, quite probably, that a municipality in issuing a debenture may wish for whatever reason to issue a five-, 10- or 15-year debenture. We are taking out the maximum of 20 years and putting in the flexibility, not only for ourselves but also for the municipalities

which, for valid reasons between themselves and the property owner or owners for whom the debenture is being issued, may wish a repayment term of less than 20 years. We feel that flexibility should be there.

I would point out in this program, by the way, we have been lending about \$550,000 to \$600,000 per year over the past number of years; so there is about \$4 million now in the program. One of the possible reasons we may want to reduce the maximum, though not at this stage, is that there is a great demand on this money. We may want to spread it out a little more and maybe reduce the maximum but, as I say, that is not a proposal at present.

The member for Essex South (Mr. Mancini) raised a number of valid points. I would point out to him that section 4(2), dealing with the mandatory registration on title, is not retroactive. This is only for all future debenturing. It must be registered on title. The ones that are now in force would of course be validated.

He also quite properly raised the matter of the four specific problems in Malden. I must say I have some sympathy for him, because in effect the taxpayers of the township are left holding the bag for mistakes of past administrations. I would point out that the court case involved did not revolve around the registration, but the bylaw for one of those four properties was declared invalid because the procedures were not proper during the course.

We are declaring other bylaws valid for all the other properties in the province besides those four and to be in the same category of retroactive legislation because the original property owners are still there and they signed the agreement. We were not taking rights away from any person, but these four were not parties to the agreement and the legislation was not handled properly.

As I said, I have some sympathy for the member for Essex South in asking for assistance for the municipality, but it is very difficult to say we are going to help a municipality because someone made a mistake. If we did that everytime someone made a mistake, we do not know where it would end. I have not been able to find a way of doing this, even though I do say we do have sympathy for it.

The member for Scarborough West (Mr. R. F. Johnston) raised an interesting point about the problem of some property owners being involved and some not. I would point

out that Scarborough does participate in this program but, as I said, this is a program for a specific purpose, namely, for the province to act as bankers to the municipalities to act in turn as bankers to the citizens. This is a voluntary program in this particular act. Although there may be a number of property owners who want to participate and some who do not, there is no compulsion under this act to force a person to do the work. There are other situations through conservation authorities or some ministry or some other legislation by which people possibly can be forced to do work where a majority of property owners want it.

5:10 p.m.

The member for Kent-Elgin (Mr. McGuigan) raised the problem of local improvement where, if a number of property owners do not want to do it, they should all be compelled. That is an interesting idea, and I think it should be looked at. Both members have raised it. There are problems in areas of shoreline where, if some do and some do not, the value will be lost; but that is not under this specific act, and we will look at that for some other act.

The member for Haldimand-Norfolk (Mr. G. I. Miller) also raised the matter of grants. This is not a grant in any way. It is only a grant in the form that they get a lesser rate of interest. Grants for major problems are something we will look into as a different proposition.

The member for Erie (Mr. Haggerty) pointed out a problem in that he feels there is an apparent conflict of legislation where the municipality says you cannot rebuild and this act says you may rebuild. What this act says is that, when a person has the permission to rebuild, we will assist by lending him money—but before this act can kick in and come into force, the person must get a valid building permit from his municipality.

If a zoning bylaw prohibits the rebuilding of a property, if something is a legal non-conformity use and is totally destroyed, then the legal nonconformity does not carry over.

If the zoning bylaw of a municipality forbids the rebuilding of a property, then of course the person cannot get a building permit. As I say, this act comes into force only when a person has a legal building permit and can proceed with the work. The simple answer to the question is that the zoning bylaws of a municipality supersede this act. This act does not invalidate a zoning bylaw.

The member for Erie also mentioned some problems about retaining walls and protection outside the boundaries of a property. Again, I would point out the limitation under this act. This is only for work being done on private property where the municipality is satisfied the work is being done on the property and the debenture or the loan can be registered on title against that property. The problem of private ownership versus public ownership, the problem of whether it is a public beach or a private beach, the problem of whether someone wants to build something on public land to protect the private land, is basically not covered by this legislation, nor should it be.

When a municipality comes to us and certifies the work is being done on private property and the property owners agree to be responsible for it, then we will lend the money. These other problems are valid, but they really do not come under this act.

I think I have dealt with the problem of the member for Kent-Elgin. Under this act, we cannot compel some people to do it and other people not to do it. Under certain circumstances, possibly under a different act under the Ministry of Natural Resources and not this ministry, where work has to be done to protect everybody and has been deemed to do so, perhaps there should be some way of compelling people, but under this act it is voluntary.

I dealt with part of the problem of the member for Wentworth. He complained about the fact that someone may still be paying off his debenture when the work is no longer there. That is similar to someone buying a car on time; even if the car is obsolete, he still owes the money. The point is that a person is borrowing money for a specific purpose, but he is borrowing money, signing his name and assigning his property to it. As I indicated earlier, one of the reasons we think there should be a shorter term on debenture is to cover this point.

**Mr. Isaacs:** You sound like a used car salesman.

**Mr. Rotenberg:** Heaven forbid! I have enough problems already.

**Mr. Speaker,** I hope I have answered all the questions that were raised by the members opposite. Again, I thank them for their support. If the bill receives second reading, I would like it to be referred to the committee of the whole House since I do have three amendments which I have indicated will be forthcoming.

Motion agreed to.



Ordered for committee of the whole House.  
House in committee of the whole.

## SHORELINE PROPERTY ASSISTANCE AMENDMENT ACT

Section 1 agreed to.

On section 2:

**Mr. Mancini:** Mr. Chairman, the parliamentary assistant went over most of the comments and points brought up by other members. However, I was not too clear on the explanation concerning section 5(8) as set out in section 2(2).

We realize the act requests that a copy of the inspection and completion certificate be delivered to the Treasurer. But, as I pointed out earlier, does that make anyone in particular responsible for any shoddy workmanship that might be done?

I mentioned to the parliamentary assistant a specific case that came up in my riding where a constituent had work done and the engineer completed the inspection and completion certificate, but the workmanship did not even last a year before the breakwater started to fall back into the lake. The engineer said he was not responsible because on the day he inspected it the work seemed to be done in a proper manner. The engineer was not there when the work was being constructed; so he could not really say whether the work had been done properly, but he did sign a certificate.

That is going to cause a real problem. The municipality says it is not responsible; it just lends the money. The parliamentary assistant says the province is not responsible; it just lends the money to the municipality. Someone has to protect the person who is borrowing the money, and the inspection and completion certificate is really not an inspection certificate. There is really no one protecting the person borrowing the money.

**Mr. Rotenberg:** Mr. Chairman, I apologize to the member for Essex South, because I did not answer that question in my reply. I should have done that, and I am glad he has raised it here.

It is not an easy answer. Remember that the basic contract for the work that is being done is between the property owner and the contractor. On any other kind of work done on a home or a driveway, if the work is improper, then the homeowner has a right under the contract to sue the contractor for improper workmanship. No matter what

work is done, whether it is building a house, putting in a driveway or a basement or building an addition, the professional person, whether he is an architect or an engineer, certifies the work has been done. That is the professional person referred to in section 2.

The honourable member is correct in that the municipality, which was the first banker—where the province was the backup banker—guarantees the work. In this case, I do not think it should. It is a similar situation to when one goes to a bank or a mortgage company to borrow money for an addition to a home. You sign your name and the bank lends you the money. The bank is in no way responsible for the quality of the workmanship.

Under the Ministry of Consumer and Commercial Relations, there are a number of acts that protect home owners and pertain to quality workmanship and so on. With respect, beyond issuing a certificate that the work has been completed and the cost of work is proper, I do not see how any municipality or government can guarantee that work. It is up to the home owner to get his guarantee from the contractor. If the work has been done improperly, certainly there is recourse in the courts for the property owner.

This may not be the answer the honourable member is looking for but, frankly, I cannot see any way in which either the municipal or the provincial government can be involved in guaranteeing the quality of the workmanship. The government can get involved to an extent, but it does not lend the money until the work has been done and certified by a professional. I think that is as far as I can go.

**Mr. Mancini:** This matter is a little different from the way the parliamentary assistant described it, because this legislation says the individual home owner must have the work inspected and a certified engineer must sign this inspection and completion certificate.

The bill I saw was for nearly \$500. It had to be paid by the home owner. We are asking the home owner to pay a large sum of money to certify that the work has been inspected and completed. If we are asking the home owner to do that, and making him pay that type of fee, then we do have an obligation to him to offer some protection.

Secondly, I would like to ask the parliamentary assistant, who appoints the engineer who provides the inspection and completion certificate? Is it the province? Is it the

municipality? Or is it the individual home owner?

**Mr. Rotenberg:** I will answer the member's second question first. It is my understanding that the person who provides the inspection certificate is appointed by the municipality.

Secondly, I think the comparison I used earlier is valid; if you go to your bank or mortgage company and borrow money, they require you to give them a certificate of completion. If you take money out on your home mortgage and you get it on draws or one lump sum, you are required to supply and pay for a certificate.

I say again, with respect, this act is putting the province in the position of assisting home owners to borrow money at a low rate of interest to do these works. In this case we make sure the work is certified by a qualified engineer before we pay the money, as any banker would do. Beyond that, we cannot assume any further responsibility.

**Mr. Mancini:** If I understand the parliamentary assistant correctly, he has told the House that the municipality appoints the engineer who fills out the inspection and completion certificate. If that is the case, we should change it.

If the home owner is going to be subjected to the whim of the municipality, no matter how well the municipality operates, and if he is going to be subjected to paying \$500 without even having the right to appoint the engineer, then I think we are putting him in a very untenable position.

If I, as a home owner, have the right to hire my own engineer, then I know he has an obligation to me personally, and he is being paid under a contract we have made together. But if we insert a middleman, that makes the problem even worse, because the home owner has to go to the municipality and then the municipality has to go to the engineer. The engineer says: "I am filling this out for the municipality. I really have no obligation to the home owner."

We are paying people to do the work of inspection and we are not getting that work done. All the engineer does after he has been called by the municipality is go there and say, "Oh, yes, we have 80 feet of work done here." He looks at the contractor's specs, which say it is to be 80 feet long and three feet high. He says, "Oh, yes, it looks as if that has been done." He signs the certificate.

I say to the parliamentary assistant it gives the individual home owner the opinion that he is being protected when, in fact, he is not being protected. If we are not prepared to do that, then we should give the individual home owner the chance to hire the engineer on his own. I am sure he can get that large fee reduced and he will probably have a better inspection job.

**Mr. Rotenberg:** I will say to the member that I am getting messages to clarify this point for him.

When the inspector is hired by the municipality, basically his job is to ensure the work that has been done is the work that was applied for in the original application to the municipality; that the work has been completed; and that the cost of work does not exceed the maximums that are here.

**Mr. Mancini:** We need to pay someone \$500 for that?

**Mr. Rotenberg:** Just a minute. That is what the inspector's certificate does. I am informed that a few municipalities do not use a professional engineer for this part of the inspection; it is a municipal building inspector, a road superintendent and so on.

Over and above that, if I were having some work done on my property, I would hire my own professional engineer to make sure it was done properly, to certify and so on. That would be part of the contract.

I am informed by our branch which handles fees for inspection that it normally costs in the range of \$25 to \$50 to certify, as he indicated, that the work done is in accordance with the estimates. A much steeper bill was given to a home owner by the municipality. I think that bill should be questioned, because that is not what is contemplated in the act, as I now understand it. A \$500 or \$600 bill would go beyond what the act contemplates as being certified and inspected by the municipality at the home owner's cost. If the municipality recently stuck somebody for a bill that was not necessary, it should be questioned.

**Mr. Mancini:** I would just like to say to the parliamentary assistant that this problem has occurred. I have had a home owner who has had this exact same problem. We have gone through the system. The engineer said he completed the form as was prescribed and the municipality said its obligation was only to lend the money. Now we find we have the bill before us and we are losing an opportunity of protecting individual home owners. If the parliamentary



assistant thinks the fee should be \$50, maybe in his regulations he can work something out to that end. I leave that to the parliamentary assistant. Let us not lose this opportunity we have to protect the home owners who have no defence at all.

**Mr. Rotenberg:** I would like to inform the member that we will look into the specific or general problem he has indicated. If something is being abused, yes, I think we should look at a new regulation to correct that abuse. I thank him for drawing it to our attention.

Section 2 agreed to.

Section 3 agreed to.

On section 4:

**Mr. Chairman:** Mr. Rotenberg moves that subsections 3 and 4 of section 8, as set out in section 4 of the bill, be struck out.

Motion agreed to.

Section 4, as amended, agreed to.

Sections 5 and 6 agreed to.

On section 7:

**Mr. Chairman:** Mr. Rotenberg moves that subsection 2 of section 7 be struck out and the following substituted therefor:

"Notwithstanding subsection 1, the special rates imposed under section 8 or 13 of the Shoreline Property Assistance Act, 1973, on the lands described in the schedule hereto are hereby declared to be and to have always been invalid and do not constitute a charge or lien on the lands and that the moneys borrowed by the owner thereof under the provisions of the said act are hereby deemed not to be or have been a debt upon which special rates may have been or may be imposed, assessed or levied against such lands or any interest therein."

**Mr. Rotenberg:** As I explained in my opening speech, Mr. Chairman, this simply clarifies the law about the intent of that section.

Motion agreed to.

Section 7, as amended, agreed to.

On section 8:

**Mr. Chairman:** Mr. Rotenberg moves that section 8 of the bill be struck out and the sections following be renumbered.

Motion agreed to.

Sections 8, 9 and 10, as renumbered, agreed to.

Bill 139, as amended, reported.

On motion by Hon. Mr. Auld, the committee of the whole House reported one bill with amendments.

5:30 p.m.

## CITY OF GLOUCESTER ACT

Mr. Rotenberg, on behalf of Hon. Mr. Wells, moved second reading of Bill 170, An Act to erect the Township of Gloucester into a City Municipality.

**Mr. Rotenberg:** Mr. Speaker, this bill will erect the present township of Gloucester to city status on January 1, 1981. It has been brought forward in response to requests from the township council and reflects the fact that Gloucester is now extensively urbanized with a population of almost 70,000. The neighbouring township of Nepean, with a slightly larger population, became a city in 1978 for similar reasons.

The proposed legislation does not affect the November 1980 municipal election process. The council elected in November will consist of a reeve and six councillors. After January 1, 1981, these positions will become a mayor and six aldermen. Gloucester's representation on regional council is provided for in section 4(1)(d) of the Regional Municipality of Ottawa-Carleton Act as amended last June. This also would not be affected by the legislation.

With a change to city status in 1981, Gloucester will be subject to the grant entitlement of a city rather than a township. This now affects only a few grants, such as for bridges and culverts, with the exception that the bill would continue the township rate of grant for an already committed bridge project, the Orleans Boulevard overpass.

The proposed legislation will also continue current speed limits applicable to a township until altered by a bylaw of the city council or the regional council with respect to speed limits on regional roads. The above specific provisions have been requested by and agreed to by the township council.

I would ask that this bill be supported by the House.

**Mr. Breithaupt:** Mr. Speaker, we in the official opposition welcome the opportunity to speak in favour of this bill and to welcome to the people of the newly created city of Gloucester into the ranks of the cities in this province. Certainly, a population of 70,000 people is something that is much beyond the framework in which traditional townships have operated.

Over the years, the stage from township to village to separated town and then finally to city removed from the county structure was the pattern in which municipalities grew

within Ontario. However, recent growth in many areas has required a move suddenly from the basic rural township to a larger city requirement as the result of subdivision growth around the cities that had existed within Ontario. Just as the township of Nepean was created into a city in 1978, so this other community in the Ottawa area, part of the regional municipality of Ottawa-Carleton, deserves this step forward.

We note there have been certain benefits of grants with respect to townships for some of these structures of bridges, culverts, et cetera, which were referred to and which will remain so as not to be a disadvantage with respect to city status. That certainly seems appropriate. The population there will have the benefit of that upgrading of various facilities which no doubt will be required and which the ordinary city has in place over the years as it develops to that status.

We in the official opposition welcome the creation of this new city in effect as of January 1, 1981.

**Mr. Charlton:** Mr. Speaker, I too, rise to support Bill 170. It is a move that was promised at the time we dealt with the Nepean bill. The government is taking this move in a very considered fashion. It is providing some additional benefits to an area that is now a township in terms of some construction that must still go on there.

I would like to pass on a couple of comments to the parliamentary assistant. I note in the bill that the council will be made up of aldermen elected at large until such time as wards are struck for the new city of Gloucester. I urge the minister and his ministry, through the parliamentary assistant, to exert as much pressure as possible on the new city of Gloucester to see that those wards are created as quickly as possible, because the local political structure in any major city in this province warrants it, both for the purpose of people's ability to run for elected office and for constituents' ability to deal with that representative who is most able to deal with their problems in their local area on the city council.

It is important that this at-large situation in terms of continuing elections in the new city of Gloucester not be allowed to carry on for very long. It is important that we get very quickly to a situation where the representation in that new city can be more appropriate and more accessible to the citizens of that new city.

**Mr. Roy:** Mr. Speaker: I just want to make a few brief comments about the bill propo-

sing to create the new city of Gloucester. I find somewhat ironic at times the paternalism of this government which has given things out to the good people out there in the outskirts, the suburbs and the hinterland in mouthfuls, one at a time.

I believe it was only last year, as my colleague the member for Kitchener (Mr. Breithaupt) mentioned, that Nepean after all these years was finally made into a city, but we must not proceed too quickly because Gloucester has got only—what is the population of Gloucester now? My colleague for Carleton East (Ms. Gigantes) will tell me.

**Mr. Rotenberg:** It is 70,000.

**Mr. Roy:** I find it ironic that what the government did for Nepean last year it could not have done in one shot for Gloucester, but the paternalistic attitude and approach by this government in handing things out in mouthfuls and spoonfuls and constrained portions has to be continued. They have looked benevolently on Gloucester and said, "You may now become a city." I always find that approach somewhat interesting on the part of this government.

We are in full support of this legislation, and we would like to address a few words to the parliamentary assistant. We would advise him that, having created a city of Gloucester he should assure himself that the city gets adequate representation at the regional level. The city of Gloucester is not going to get that now. It still does not have that. I feel somewhat disappointed that what I consider to be a deficiency is not corrected by this legislation.

It seems to me—and it was obvious last year when we discussed legislation that came forward with amendments to the Regional Municipality of Ottawa-Carleton Act—that Gloucester was underrepresented as far as regional representation was concerned.

**Ms. Gigantes:** That was this year.

**Mr. Roy:** My colleague from Carleton East says it was this year. That is all the more reason for the parliamentary assistant to keep that in mind. I think of all areas Gloucester is the one that is the most underrepresented at the regional level.

5:40 p.m.

The other thing that we feel should be brought to the attention of the House is the fact that Gloucester has its own municipal police force. You, Mr. Acting Speaker (Mr. MacBeth), as a former Solicitor General, are well aware of that. Unfortunately, because it has its own municipal police force, it re-



ceives only \$10 per head rather than the \$15 per head it would receive if Ottawa-Carleton had a regional force. I deplore again that this government will say to areas like Ottawa-Carleton: "You can keep all your municipal forces, folks. We think you are doing a good job in policing in that area." Then another arm of government will say, "But you will be penalized \$5 a head for having this municipal force."

I have been emphasizing this for seven or eight years, saying to the government that it is unfair. If we accept the fact that they are entitled to their own force, then they should not be discriminated against on the basis of these grants. The reason I raise this is that there is some mention of grants in the bill in connection with the Ministry of Transportation and Communications. I thought I should emphasize that in the area of the police, which is always important when new cities are created, there is a deficiency which should be corrected as soon as possible.

Having made these comments, I am very pleased for Gloucester that it will become a city. I do not know what the recent statistics are, but for a good number of years it was the fastest-growing municipality in Ontario, and it is a very progressive community.

**Mr. M. N. Davison:** It wasn't as fast-growing as South Cayuga, was it?

**Mr. Roy:** I do not know what South Cayuga has to do with this, but obviously one of the reasons Gloucester grew progressively, logically and as quickly as it did was that there was not the involvement of the provincial government in coming along and buying all this land and proceeding on the basis that it could program a city's development.

Interjections.

**Mr. Roy:** I am glad to see that we receive the support of our colleagues from the New Democratic Party when we are talking about South Cayuga. I know I am hopelessly off the point but, as I recall, when those major decisions were made the NDP was supporting that kind of decision on the buying up of land.

Interjections.

**Mr. Roy:** I think they did support that. At least we in this party can say that we consistently criticized and opposed that sort of program and favoured a logical approach to city building. We want to go on the record, my colleagues and I in the Liberal Party, as supporting this legislation. We wish the very best to Gloucester and say to Gloucester that

progressively, as we move along, in all likelihood in the near future the city will elect a new member of the Legislature. I have no ill feelings towards my colleague the member for Carleton East but, let us face it, Gloucester is a Liberal city and in all likelihood will return a Liberal member. In spite of the fact that it is not yet in the fold, I am sure it will be. We wish it the very best.

**Ms. Gigantes:** Mr. Speaker, it is a pleasure to participate in this debate. In a very few moments, I would like to add my voice to those of my colleagues in support of this bill. It will be very pleasant to be a resident of the city of Gloucester, and thereby hangs a bit of a tale from the Ottawa Valley.

I know my friend the member for Ottawa East (Mr. Roy) did not grow up in the Ottawa Valley, and therefore he has probably never accustomed himself to our weird ways of pronunciation. North Gower is one, while another which actually has very ancient roots is Gloucester. You will recall the old rhyme, Mr. Speaker, "Dr. Foster went to Gloucester in a shower of rain." I suggest to the member for Ottawa East that is one way he can remember how to pronounce that admirable municipal name.

We are grateful to the government for having acceded to the wishes of municipal representatives and citizens of Gloucester in continuing the level of grants that will be provided under this bill for the construction of the pedestrian overpass over Highway 17. It is a vital project, a minimal step towards improvement of traffic-pedestrian problems in that area of very rapid growth where transportation planning has fallen way behind the growth of the municipality.

Secondly, I would like to reiterate the words of my colleague, our critic for Inter-governmental Affairs, when he underlined our feeling about the importance of having major municipalities represented by a ward system. I think people in the area of Gloucester have come to the recognition that, as a large and growing municipality with city status about to be bestowed upon us, it is time we had a ward system in Gloucester. I hope and expect the new council will take this matter in hand and initiate moves to develop a good ward system for the area.

**Mr. Rotenberg:** Mr. Speaker, I thank the honourable members opposite for endorsing the bill. I will just comment briefly on the points raised by the member for Hamilton

Mountain (Mr. Charlton). It is not our intention to force a ward system on the municipality as quickly as possible. We will leave it to local option either to get a ward system or, if they wish, to apply for an exemption to having a ward system.

**Mr. Charlton:** I suggested that you encourage them.

**Mr. Rotenberg:** We will encourage them, but we are not going to force them.

The speech by the member for Ottawa East was a typical speech from him, wondering why we were so paternalistic and did not give this status to Gloucester when we gave it to Nepean. I would point out it is quite the contrary. Far from being paternalistic, as the member for Ottawa East wished we would be, we very much believe on this side of the House in local autonomy and local option.

In 1978, Nepean asked for city status, and we were more than pleased to give it to them. Gloucester did not ask for city status at that time, and we did not, as the Liberals would, force it upon them. We waited until Gloucester was ready and asked for it. We have given them city status at this stage because we do this on the basis of a municipality requesting it. We do not force it upon them. We practise local option; we do not just preach it.

As far as representation on local council goes, this was done, as the member for Ottawa East knows full well, last June. The final decision may not have been totally acceptable to everyone, since one just cannot work it out that way, but the member agreed with what went forward at that time, as he will no doubt remember.

As far as the grants are concerned, there are different grants as between cities and townships. One of the reasons some municipalities do not want to be erected to a city is that they lose some grants.

I was pleased to note the member for Carleton East is back in nursery rhymes. We all know why, and I congratulate her on that basis. I hope this bill will carry.

Motion agreed to.

Ordered for third reading.

5:50 p.m.

House in committee of the whole.

#### MUNICIPAL AFFAIRS AMENDMENT ACT

Consideration of Bill 172, An Act to amend the Municipal Affairs Act.

**Mr. Roy:** Mr. Chairman, my colleagues and I in this party at the time of second reading had requested more details as to why the government felt Bill 172 was necessary. As I recall, from the way we left the discussion on the last occasion, we still had some concern, now that the government has decided to have this option of either registering what it calls a redemption certificate for the one who has paid the taxes or conveying the land to the applicant, as to when and how that discretion will be exercised by the government.

As my colleague the member for Nipissing (Mr. Bolan) has said, we on this side are people who believe in the rule of law. On that basis, we felt it important that, if at all possible, discretion should be inserted in the legislation. In other words, we should not bind ourselves into a situation in which Mr. A says, "I have paid the taxes on the land, and I want you to exercise your discretion and convey the land to me." Then Mr. B comes along, and the government says: "No, in your case we will not convey. What we are going to do is just allow you to have what we call a redemption certificate."

I would like to know from the parliamentary assistant when the government will exercise discretion in favour of registering a redemption certificate or allow the conveyance of the land to the applicant.

**Mr. Rotenberg:** Up until now, the act has really read that the ministry must give consent to a conveyance, but in the few years this has been in force we have not given consent to any conveyances as far as I know. Basically, it is very difficult to put discretion into legislation. The principle on which we will operate is that, if anybody else's rights are to be prejudiced by a conveyance, we will not consent to a conveyance. If a conveyance should be done and does not prejudice anyone else's rights, then we will consent to a conveyance, but there may be some situations where these things have to be looked into.

What we are doing is changing the "must" in the act to a "may"—the minister may consent to a conveyance rather than must consent. There could be cases, as there have been, in which people would try to use this act for purposes not in the public interest or in the interest of other people who have an interest in the property. That is why we need the discretionary part of the act.

**Mr. Roy:** I do not have any doubt that the parliamentary assistant means what he says. Some people would, but I do not. Accepting



his word that what he intends is that if anybody's interest is going to be jeopardized he will not allow a conveyance to the applicant, why would he not put that in the legislation? The legislation should read that the government may, given certain circumstances, either convey or let them register a certificate but, if someone's interest is going to be jeopardized, there will be no conveyance. I do not have the proper wording of this amendment, but it seems to me that is what my colleague the member for Nipissing and I were talking about the other day.

Let us say some lawyers of the reputation of a Mr. Goodman, for instance, came along to the ministry and said, "We have paid the taxes on that and we think you should convey the property to us." Let us say the other fellow was represented by a simple-minded fellow like myself. You say to Goodman, "I think we will convey in your case, and in the other case we will just get you to register a certificate."

The exercise of a discretion is something we are very leery of. I do not know if it is because the Tories have been in power for 37 years that we are cautious about it. If, as the parliamentary assistant says, someone's interest will be jeopardized by a conveyance, why does he not put it in the legislation?

**Mr. Rotenberg:** There are times when there may be a difference of opinion as to whether someone's interest is or is not prejudiced. I know the member for Ottawa East was putting his tongue in his cheek when he made those remarks, but I can assure you, Mr. Chairman, this ministry and this government exercise discretion based on the merits of the case and do not take into account at all who may or may not represent whom.

**Mr. Bolan:** Mr. Chairman, what I have to say again on this bill may be repetitive of what I said last Tuesday. If it is repetitive, it is because we do not have any answers to the questions that were asked of the parliamentary assistant last Tuesday.

The bill sets out two options. The first option is to register in the land registry office a redemption certificate in respect of the land in form three. What happens after that redemption certificate is registered; for how long is it good; what happens to any encumbrancers who may have an interest in that property; just what are the rights of the person who registers this redemption certificate; what are the rights of previous and subsequent encumbrancers? Perhaps I may have answers to those questions first.

**Mr. Rotenberg:** Mr. Chairman, if under option (a) a redemption certificate is issued, only those persons who have an interest in the property, such as an owner, lienholder or mortgagee, can pay the taxes and make any claim.

As I believe I indicated last time, and I am more than pleased to clarify, in the case of that person who pays the taxes and receives the redemption certificate, the amount he pays is added on to his interest in the land. For example, let us say the second mortgagee is in for \$20,000 and pays a \$2,000 tax bill. His second mortgage then becomes \$22,000 behind the first mortgagee and ahead of the third mortgagee. All other persons, lienholders, mortgagees or owners, remain on title as they were before. That is a redemption certificate.

If under the present act the land is conveyed free and clear, then all other persons in effect are wiped out. That is why we do not want to have that happen unless nobody's rights are prejudiced. Under a redemption certificate, that provision is added on to that person's interest in the property and everyone else remains in the same position.

**Mr. Bolan:** How long is the redemption certificate for? For example, suppose I have a mechanic's lien on the property and I am number three in the order of priority; ahead of me are a second mortgagee, a first mortgagee and the registered owner of the property. Suppose I pay the tax arrears of \$1,000 to protect my interest in the property. That \$1,000 then becomes a lien on the property in addition to the mechanic's lien which I already have. My understanding of it is that those moneys which I pay for arrears of taxes are also a priority ahead of anybody else who may have an interest in the land, including the first and second mortgagees. Is that correct?

**Mr. Rotenberg:** The redemption certificate would be like a mortgage; it is on and it is permanent. If I gave a mortgage on a property, whether it is a third or fourth mortgage or whatever, that is a permanent situation. A redemption certificate is a lien or a title or a mortgage on the property and remains on the property until it is paid off. It is added on in the order of precedence where you were in your previous interest. If you are the third mortgagee, it is added on to your third mortgage; if you are the first mortgagee, it is added on to your first mortgage. If you are the owner and paid it, your taxes are simply wiped out

and it is not a lien because you are the owner. If you have a mechanic's lien, wherever you are in the precedence, that is where you go. It becomes like a mortgage in that it is not timed but is permanent until it is paid off.

**Mr. Breithaupt:** Mr. Chairman, should not that priority which was first, that is, the claim for taxes on a property in advance of the interests of the first and second mortgagees, remain a priority over the first and second mortgages, rather than being added as part of your third mortgage or mechanic's lien, according to the example given?

I would think that only if there were equity in the property would the third

mortgagee or the mechanic's lienholder take that additional risk, rather than presume some priority in front of the first and second mortgages as the tax claim that he is paying off would have been.

**Mr. Roy:** Nobody would pay the taxes if he did not get priority.

**Mr. Chairman:** Order. It is now six o'clock. Are there going to be more questions on this?

Some hon. members: Yes.

On motion by Hon. Mr. Wells, the committee of the whole House reported progress.

The House recessed at 6:01 p.m.

## APPENDIX

(See page 3821)

### ANSWERS TO QUESTIONS ON NOTICE PAPER

#### FOOD PRICE MONITORING PROGRAM

**248. Mr. Swart:** Will the Minister of Consumer and Commercial Relations provide figures on the overall cost to the government including the publication of all reports, for the food price monitoring program since its inception more than 18 months ago? Will the minister also indicate the total amount of news coverage which the Food Price Monitoring Program reports have received since January 1, 1980, and table all Ontario daily newspaper coverage of which he is aware pertaining to the reports? (Tabled June 12, 1980.)

See sessional paper 261.

#### "LET'S DO BUSINESS"

**342. Mr. Conway:** Would the Minister of Industry and Tourism indicate: (a) the

per unit cost of the promotional package entitled Let's Do Business; (b) how many units have been prepared; (c) and the planned distribution list? (Tabled October 16, 1980.)

**Hon. Mr. Grossman:** The unit cost of the Let's Do Business promotional package is: the fact books (12 modules), \$18.36; the fact book title sheet, 76 cents; acrylic cover, \$5.50; plastic mailing case, \$7.14; total, \$31.76. Two thousand, five hundred units have been prepared for use by the ministry's international offices in making presentations to investors.

#### INTERIM ANSWER

On question 334 by Mr. Warner, Hon. Mr. McMurtry provided the following interim answer: The information requested is currently being compiled by officials of the Ontario legal aid plan. We anticipate being in a position to table such information after the first week of November 1980.



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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, October 28, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, OCTOBER 28, 1980

The House resumed at 8:02 p.m.

## INSURANCE AMENDMENT ACT

Hon. Mr. Drea moved second reading of Bill 164, An Act to amend the Insurance Act.

**Hon. Mr. Drea:** Very briefly, Mr. Speaker, I believe I covered the purpose of the amendments to the Insurance Act in a statement on October 10. The major amendment, of course, is raising the minimum for third party liability coverage from \$100,000 to \$200,000.

One of our concerns has always been that the minimum coverage in effect in the province, particularly with the introduction of compulsory insurance, should be a realistic figure. I realize that in the past there have been some concerns that putting in a very high minimum might lead to exorbitant claims and some other difficulties.

I think we have to be realistic. Right now, even with inflation, only about four per cent of the claims initially are for more than the \$100,000 figure. But, by the same token, with the number of costs increasing, particularly in terms of the basic damage injured innocent parties suffer, in that they are not able to work or indeed may not be able to return to the source of livelihood they once had, when we measure wages today we have to be realistic.

I would point out that by far the majority of Ontario automobile drivers have in excess already of the \$100,000—in fact, in excess of \$200,000. Four out of five, or 81 per cent, now carry minimums voluntarily of over \$200,000.

An area that is not in the automobile field, the amendments regarding the definitions of insurance and life insurance, is extremely significant because this is very protective legislation. There have been court decisions in the western provinces that have eroded certain protections that had been accepted as normal, particularly for widows.

The definitions of insurance and life insurance are being amended to make certain that annuities entered into by insurers are life insurance within the defined meaning

of the term, so that those can be protected from the claims of an insured's creditors—particularly in the case where the beneficiary is a spouse, a parent, a child or a grandchild—in effect, in the same manner as the proceeds of life insurance contracts are so protected under the Insurance Act.

**Mr. Breithaupt:** Mr. Speaker, I am pleased to support this bill on second reading. The minister has outlined the two themes contained in it and with your permission I will just comment briefly on both of them.

With respect to the first area concerning the amendments to the definition of the insurance term, I am pleased to turn to page 167 of the fourth report of the select committee on life insurance matters, of which I have the honour to be the chairman. With your indulgence, I would just read two brief paragraphs:

"The committee has reviewed the annuity business of life insurance companies in this province and is concerned about the lack of explicit reference in the Insurance Act to this increasingly important component of the overall life insurance market. The committee's concern is magnified by the important role that annuities, particularly life annuities, play in the retirement and pension income system in this country. Accordingly,

"The committee recommends that immediate attention be given to amending the Insurance Act in Ontario to include annuity contracts explicitly within the scope of the insurance business governed by the act. Attention should be given in the act to defining both a life annuity and an annuity certain in a practical and non-ambiguous manner. Amendments to the act should further ensure that the provisions of the Insurance Act which apply to life insurance apply uniformly to annuities, except where specifically excluded for reasons of inappropriateness."

Mr. Speaker, I was pleased to table that report on behalf of the select committee on June 9. We have seen it immediately accepted by the minister, legislation was brought in on October 10, and tonight, presumably, that legislation will pass. I think that perhaps has to be the quickest response

to any select committee report on any subject that I have ever known in my time in this House and I congratulate the minister on that.

Certainly this whole matter of defining the annuity more precisely as part of the insurance term is welcomed both in the general definition, which is item 30 in the definition of life insurance to include disability insurance and to include the annuity subject. I commend the minister for his quick response to this and I think it is something that will benefit many people within Ontario.

The other theme the minister referred to is the change with respect to the limitation for compulsory automobile insurance coverage in Ontario from \$100,000 to \$200,000. In this regard I would refer the members of the House back to the first report of the select committee on company law dealing with insurance, which was under the chairmanship of our colleague, Vernon Singer, the member for Wilson Heights at that time. I would refer the members to chapter six, a very brief chapter, dealing with unlimited third party liability coverage.

8:10 p.m.

The last time this topic was amended, we referred to it in our select committee report. We commented that before 1932 there was no minimum limit within Ontario and, since then, by \$10,000 and \$20,000 at a time, it has been increased until in 1966 the minimum limits were set at least \$35,000 in respect to any one accident. In 1969, it was increased to \$50,000 and as of January 1, 1977, the limits were set at \$100,000.

That bill was introduced by the Honourable Sidney Handleman, at that time Minister of Consumer and Commercial Relations, since no longer a member of the House, and it was followed up by the member for St. Andrew-St. Patrick (Mr. Grossman) in his term in that ministry.

As the minister has said tonight, there were certain concerns at the time with respect to increasing the limits even to the \$100,000 figure. It was thought it might increase some public expectations of rewards, it might encourage greater litigation and it might bring reinsurance and accounting problems. But we found in our report that none of those things was likely to occur.

I would quote just one paragraph. "The committee is convinced that the insurance industry, with its immense statistical experience and its adaptability, is quite capable of providing unlimited third party liability coverage."

We found that in studying the automobile system not only in the United Kingdom and Switzerland but in Sweden, France and other European countries, there was unlimited liability. Reinsurance was obtained. It was the practice to ensure that whoever suffered as a result of a most severe automobile accident would be covered for whatever awards were made by the courts.

It is apparent that in the years up to 1976 there were certain cases of very large losses from single accidents. Indeed, even by 1975, only about 10 per cent of all policy holders carried the minimum limits required. The minister comments that now some 81 per cent are insuring their possible liability or obligation at even greater amounts than Ontario has set as the minimum. I believe the \$100,000 limit is probably still the highest in North America, although there may be several states of the United States that have improved their limits since then.

Hon. Mr. Drea: Nova Scotia.

Mr. Breithaupt: The \$100,000 limit is still the highest. It becomes then twice as high.

We thought at the time, and the recommendation was, that the act should be amended so as to provide mandatory third party liability coverage to be in an unlimited amount. It may be that we will progress to reach that stage in years to come. At the present time, though, we are moving to the \$200,000 figure and, as the minister has said, the vast majority, some 81 per cent of people who are driving on Ontario's roads, who are insured in Ontario, are covering more than those minimum limits now.

I think it would be worthwhile for the minister to comment in his summary remarks on the enforcement of the obligations of insurance with respect to people travelling to Ontario. It may well be that a variety of tourists have much lower coverages than we would expect within the province. They could find themselves in some financial difficulties unless there is clear reciprocation on coverages for the obligations they might meet within Ontario.

This might be an opportunity for the minister to comment upon the system so that here, as we are moving to this substantially high level, albeit at a comparatively small increase in premium, we would have within this debate for anyone who wished to look, the comments as to the expectations that travellers would have and the coverages that would occur.

Companion legislation that will deal with the motor vehicle accident claims fund is the next bill and it deals with the necessary



changes to cover any obligations that would occur there.

I am certainly pleased to see these two steps. The legislative program before the House has been composed of a variety of bits and pieces during these last several weeks; vicious dogs and the warble fly and a few other topics perhaps not of great public concern have been and are being dealt with through the fall session.

This bill, one might think as well, is somewhat brief and mechanical; but it is an acceptance by the government—and I think it is to be approved of—of two particularly important items quite different in their substance, but both of great value to the people in Ontario. I commend the minister for bringing this legislation forward, and it certainly has our support.

**Mr. M. N. Davison:** Like my colleague from Kitchener, I rise on behalf of my party to support the bill on second reading, essentially because we can find nothing wrong with the bill, not for anything intrinsically memorable or advanced about the bill.

Like my colleague from Kitchener, I would be interested in hearing the minister's comments on tourists, of people from outside the province driving here and how they will be affected. However, before the minister makes his comments, I could tell him not to worry about Tasmania and other such jurisdictions because fortunately, unlike Ontario, they have decent public auto insurance programs, and I am sure are fully and adequately covered at affordable—

**Hon. Mr. Drea:** I am not worried about Tasmania, but I am worried about Saskatchewan.

**Mr. M. N. Davison:** As I say, the bill has nothing wrong with it. A Socialist like me would not oppose the redefinition of insurance and life insurance to include annuities; not even a raving Socialist like the member for Hamilton Mountain (Mr. Charlton) would oppose that alteration in the bill, and enough said.

The aspect of increasing the third party liability minimums from \$100,000 to \$200,000 is perfectly reasonable, and the government should be commended on the step. I had a call from my insurance company about six months ago when my policy came up for renewal. They suggested to me that I should increase my coverage from \$500,000 to \$1 million in third party liability. I suspect it has something to do with the way I drive every day, or perhaps the distances covered.

If the minister were being advised by my insurance company, I suspect it would be going up a great deal more than the doubling from \$100,000 to \$200,000, although it should be realized, as the minister has pointed out, that in Ontario there haven't been the numbers of incredibly high claims we have seen in some other jurisdictions in North America during the past several years. We have been relatively fortunate in Ontario in that respect, and \$200,000 in most cases should be a sufficient minimum amount.

The legislation, I am sure, will not be considered terribly significant historically. If it does work its way into the history books, it will no doubt be in the context of one more chance the Tories and the Minister of Consumer and Commercial Relations had to bring in a public auto insurance scheme in Ontario. Once again, they failed to do so, thereby costing the consumers of this province annually something between \$50 million and \$100 million in excess premiums paid to the industry. We will wait, I suppose, still some time before we see that kind of plan.

As a matter of fact, just before I conclude—

**Hon. Mr. Gregory:** You will have a long grey beard, Michael.

**Mr. M. N. Davison:** I hope not. I may go bald before I see public auto insurance in this province, but the grey beard I am not sure about.

**Mr. Speaker:** As a matter of fact, it is not even mentioned in the bill, so it is not a principle.

**Mr. M. N. Davison:** That is its central failing.

By way of conclusion, I can only say it will be pleasant after the next election when we have a minister who will not only bring us affordable public auto insurance, but will ensure fair food prices and will let us see Academy Award-winning films.

8:20 p.m.

**Mr. Kerrio:** Mr. Minister, I am pleased to join in supporting our leadoff member in the bill.

There are a couple of matters that cause me a little bit of anxiety. Certainly I am pleased we are raising the limits, since we have seen fit to pass legislation that would have all drivers carry insurance. Because of the circumstances of heavy traffic congestion in Niagara Falls, we already have higher rates than much of the rest of Ontario.

I would like to hear the minister's comments so we can be assured that we can set up some method of reciprocal arrangements with our neighbours to the south. Because

our people are already paying higher premiums for protection in the area, they should have the feeling that our visitors are going to have adequate protection in the event of an accident. That would be the one concern I would have.

**Mr. Roy:** Mr. Speaker, I want to join my colleague in supporting this legislation. These amendments, as far as I am concerned, are none too early. Those of us who have to be out there earning a living, apart from the turmoil of this place, have run into circumstances—

**Mr. Speaker:** Is the member suggesting that we, who are here, are not earning a living?

**Mr. Roy:** I am suggesting no such thing, Mr. Speaker. I would not dare suggest such a thing to my colleagues here. I just leave members to draw their own conclusions.

All I am saying is that in the practice of law, some of us have run into circumstances where not only victims were not able to collect the full measure of their damages, but insured drivers were severely penalized because they had not had the forethought to get something more than \$100,000 minimum liability.

There was a very unfortunate incident in which our firm was involved. It was a serious accident at the corner of Rideau Street and Sussex Drive, which is one of the major intersections in Ottawa. An ambulance came through a red light and struck a vehicle that was proceeding on a green light and was driven by a paraplegic.

Subsequent to the accident, three elderly people were seriously injured. One was paralyzed from the neck down. Their damages were way over the \$100,000 limit. The victims were from the province of Quebec, and unfortunately the lawyers there forgot to take action against the province of Ontario. That is another amendment that is needed here.

Anyway, they forgot to take action against the ambulance within the six-month limitation period. This must be done against public bodies under the—I do not recall what act it is. In any event, their not having done so, that claim was proscribed by statute and the liability then focused exclusively against the driver of the motor vehicle, who was a paraplegic. Unfortunately that individual had a judgement against him of something over \$150,000.

That clearly illustrates why this type of legislation is necessary. I know the \$100,000 limit has not been in force all that many years. Would it be 10 years that these limits

have been in force? Three years? It gives one an indication of how quickly awards are moving upwards.

I cite that as one example of an unfortunate victim who, had he had the minimum prescribed by statute here, would not, as a paraplegic, have had to face a personal judgement against him of some \$50,000. I have another example in my office right now of a similar situation where there is a \$100,000 limit, and it looks as though the judgement will be something in the area of \$350,000.

To those of us who are supporting this type of amendment it is an exercise which has vivid importance because we see it, unfortunately, as an occurrence out there. I am very pleased to see the amendments coming forward. I am just very surprised there has not been more demand or more pressure to increase the limits prior to this date. I have seen situation after situation like the one I have explained where it is clear that the limit of \$100,000 was not sufficient.

I quite appreciate that the vast majority of motor vehicle accidents are much below the \$100,000 limit which existed in the present policies. Nevertheless, it seems to me that was an occurrence that was happening more frequently than ever. We are very pleased to support these amendments.

**Mr. B. Newman:** Mr. Speaker, I rise to enforce the concern of both the member for Kitchener (Mr. Breithaupt) and the member for Niagara Falls (Mr. Kerrio) in my instance in relation to accidents involving tourists coming in from the other side of the river.

The minister is aware of the fact that in the state of Michigan, if I am not mistaken, the public liability is substantially lower than here, only \$50,000. So a resident of the city of Windsor who is involved in an accident with an American is substantially limited in the extent to which he could sue or obtain a judgement from an American.

I wonder if the minister has ever made an attempt to obtain reciprocal agreements with certain jurisdictions in the United States so that the Ontario auto driver is not in a substantially detrimental financial picture as a result of that accident.

**Hon. Mr. Drea:** Mr. Speaker, first, in summary, there is reciprocity in Canada so that any driver from another province who is in Ontario is automatically covered under the agreements for our minimums, whatever they are.

Second, in terms of the American driver, this is a rather difficult situation. New



York state, with much higher premiums, has compulsory insurance. I do not think I will amaze officials in New York state tonight if I suggest that on any given day one out of four drivers in New York state, notwithstanding compulsory insurance, do not have any insurance. I do not think I would amaze the state of Michigan—and I say this to the honourable member for Windsor-Walkerville—if I said that, notwithstanding compulsory insurance again in that state, on any given day at least one out of three do not have insurance at all.

I would also say to the two honourable members from different border communities that it is not so much the tourists. We are talking of day-to-day interchanges where there is a river with, in the case of Niagara Falls, four bridges along the frontier and a bridge and a tunnel at Windsor. We are talking about normal traffic intercourse, let alone tourists coming in for a week or two.

The difficulty in the past with the motor vehicle accident claims fund is that some of our most substantial claims and some of the most difficult cases to handle were in Essex county and in Lincoln and Welland counties, because the drivers were from the United States. They had horrendous accidents here, no insurance, and the fund had to pay. I can tell you the adventures the fund had in trying to collect even a penny over on the other side.

8:30 p.m.

It is also extremely difficult to write a uniform reciprocity package across 50 states, or even 10 states of the United States because they all have differing types of things. Another one of the other difficulties, just as it was with Quebec—I was questioning some American states—is there is a very substantial limitation on rights to tort. We were able to solve that through the very comprehensive, very full and very co-operative negotiations with Quebec, whereby the Ontario driver in Quebec has all the benefits of tort, which I believe are absolutely necessary, just as though he were in Ontario, and at the same time, he receives the full benefits of the Quebec automobile protection.

There is an opportunity, of course, for drivers from the United States to cover themselves while in Ontario, just as a driver from either Canada or the United States while driving into Mexico has the opportunity to purchase insurance, because their insurance coverage ends at the boundaries of continental United States or Canada.

**Mr. B. Newman:** Is that short-term coverage?

**Hon. Mr. Drea:** Oh yes. That is for Mexico. Their insurance is not valid once a driver leaves the continental United States or Canada.

The American insurers can issue a card that will temporarily put a driver up to the Ontario limits, a so-called yellow card, and they can file a power of attorney to appear and accept the limitations of Ontario. That is out there; that is available.

I am the first minister to tell members that quite frankly the average American visitor, no matter how many signs we put up at ports of entry, obviously does not intend to have an accident in Niagara Falls or Windsor or in any other part of Ontario or Canada and presumes that because he comes from a nation where insurance regulations are just about the same as ours they are adequately protected. I suppose a few who travel here a great deal might take the precautions. My concern, of course, would be that a great many would not.

We have the ability to protect ourselves against the underinsured driver. This is something I have brought in and I am delighted that I have the opportunity to talk about it because it is something out there that I think we, as members, can acquaint the public with. It is something new. The automobile insurance policy is something people keep renewing. After a while it gets to be automatic: when the bill comes, people send a cheque et cetera, but it is unfortunately not getting the degree of attention from the public that I wish it would.

The member for Kitchener spoke about unlimited liability, which I and the insurance industry have some concerns about. By the introduction of the new insurance clauses in this province—the underinsured motorist endorsement—I believe we have the best of both worlds with the \$200,000 figure as a minimum, bearing in mind that four out of five are already beyond that.

There is the question of just how much insurance one really needs. Of course it depends upon driving habits and a lot of other things. To be absolutely protected and to absolutely protect your potential victims at any one time I suppose the argument is for unlimited liability, but there are substantial difficulties. What we have tried to do is establish a minimum limit that reflects what is going on, but then build in the underinsured motorist endorsement to protect people on that one in a million eventuality.

It also rewards responsibility, because the way that endorsement works is whatever amount of third party liability coverage one buys to protect the person one may injure, not just physically but materially, one is entitled to a very small additional premium. So if the other driver is underinsured one's own insurance company will pay one up to the limit one has set for oneself. In other words, if one buys or carries \$500,000 worth of insurance and one purchases this endorsement, and the other driver only has \$200,000 and the judgement is \$350,000, one gets the \$350,000 and the insurance company then, obviously, collects from the other driver.

I sympathize with the points that have been made about the victim by the member for Ottawa East (Mr. Roy). In the circumstances he has outlined involving one case, I do sympathize with the paraplegic. But by the same token, if one is going to drive an automobile then one has the obligation to be responsible enough to protect the innocent against what one may do in that automobile. I think that is very fundamental in this province.

I am the first to say we should have had compulsory insurance a quarter of a century ago. I made it the number one priority when I became the minister. I do not think there is any excuse for somebody getting a free ride and saying, "I will be as irresponsible as I please."

With this new underinsured motorist endorsement we are rewarding responsibility while giving people, for the first time, at a reasonable price, the opportunity to meet the special situations that have been outlined by the two members from the border cities. The chances of being hit by an out-of-province motorist or a visitor in this region, or perhaps in the region the Speaker (Mr. Stokes) represents, are not quite as substantial as the daily flow in other members' areas. So I cannot give a guarantee, nor am I in a position to look down the road and say that within two, three, four or five years we may be able to get reciprocity with the other jurisdictions.

I encouraged the select committee on company law, which was such an inspiration to me, and I mean that very sincerely. As the committee knows, I do read its reports, and I do move on them as rapidly as possible. I think one of the failings in the past has been that they were allowed to be scrutinized just a little bit too long.

I do not know at what point that reciprocity will be available. In the meantime, the underinsured motorist endorsement is a

very valid protection in terms of what one accepts as one's responsibility for what one may do. Nobody intends to have an accident, but what one may do inadvertently, none the less, is one's responsibility. By the same token, one can protect oneself for that amount. I think there will be an added inducement for motorists to really look at their own driving habits, the places they are driving, the amount of miles they are driving, the weather they are driving in, et cetera, and buy liability insurance of a proper and appropriate amount to cover the innocent. That is the only way they can make sure, at all times, that coverage is available to them if, in any case, they become a victim.

The member for Kitchener (Mr. Breithaupt) has mentioned the limits. The province of Nova Scotia this year went to \$100,000. That is by far the highest in Canada.

On the reciprocity matter, I draw to the attention of the member for Hamilton-Centre (Mr. M. N. Davison), that I am not worried about Tasmania in terms of public insurance programs.

**Mr. M. N. Davison:** You have never had a single problem with a driver from Tasmania.

**Hon. Mr. Drea:** I am not worried about Tasmania. The member brought it up. I am very worried about Saskatchewan and the driving there.

**Mr. M. N. Davison:** Even Tasmania has public auto insurance.

**Hon. Mr. Drea:** Yes, everybody out there has public automobile insurance, but how much will it pay when the driver is errant?

**Mr. Roy:** Tell him he looks like a Tasmanian devil.

8:40 p.m.

**Mr. M. N. Davison:** Do the Liberals favour this ripoff of \$100 million a year?

**Hon. Mr. Drea:** I have to tell the member that some time later this year the Saskatchewan Government Insurance Office is coming to this province to meet my officials, because they want to copy some of our programs; so he should get off this stuff about the quality of insurance in this province. There is no better package of insurance available at more reasonable rates on virtually a custom-made insurance package for each individual that one can buy on time than in this province.

**Mr. M. N. Davison:** Just to protect your friends in the automobile insurance business.

**Hon. Mr. Drea:** I am very proud of the automobile insurance business in this province. I am very proud of the more than 195



insurance companies that are paying their own way. I am very proud of almost 15,000 agents and support staff in this province. I say to my friend the member for Hamilton-Wentworth, there will soon be an occasion when the member can get up in public and do his prattling and I hope he goes around this province with the remarks he has made about the insurance industry.

**Mr. M. N. Davison:** On a point of privilege, Mr. Speaker: I absolutely resent being referred to as the member for Hamilton-Wentworth, and I hope the minister will apologize.

**Hon. Mr. Drea:** I am sorry if I misidentified the member; he is here so seldom.

**Mr. Speaker:** It is Hamilton Centre.

**Hon. Mr. Drea:** Hamilton Centre.

**Mr. Speaker:** Has the honourable minister completed his remarks?

**Hon. Mr. Drea:** Yes, Mr. Speaker—provided I have answered the concerns of the five members who spoke.

Motion agreed to.

Ordered for third reading.

#### MOTOR VEHICLE ACCIDENT CLAIMS AMENDMENT ACT

**Hon. Mr. Drea** moved second reading of Bill 165, An Act to amend the Motor Vehicle Accident Claims Act.

**Hon. Mr. Drea:** Mr. Speaker, very briefly, this type of legislation is not as significant as it might have been a couple of years ago but, with the introduction of compulsory insurance, the motor vehicle accident claims fund is being phased downwards. Now, it basically covers only accidents involving a hit-and-run or a stolen car; in other words, where the driver is not identifiable.

**Mr. Breithaupt:** Or where there is no insurance.

**Hon. Mr. Drea:** No. The honourable member suggests no insurance. I think he forgets for a moment that under the terms of one's own policy, if the other driver can be identified, one's own insurance compensates one and goes after that driver. The fund covers really only in the case of the unidentifiable driver—the stolen car or a hit-and-run and so forth.

I am very pleased to announce that, as of this reporting month, for the first time we are down now to what I regard as almost an acceptable level of motor vehicle accident claims. We are down now to fewer than 20 claims a month. That is significant when one considers the number of hit-and-runs and

stolen cars in the whole province, and the vast population, because for some time after the introduction of compulsory insurance, there would be claims filed with us since the accidents had occurred prior to the March 1, 1980, mandatory introduction.

The reason for raising the limit under the MVAC to \$200,000, the same as the regular insurance, is self-evident. If a person is a victim of an unidentified driver for any reason, the fund has to be paid out of their own insurance, because bear in mind it is now every driver who is paying on the basis of the \$1 a year or the \$3 that is collected when you renew your driver's licence; there are no longer any contributions or the availability of contributions where you pay a penalty fee in lieu of having insurance. Basically that is your own insurance policy.

The claims continued to come in after May and June. Mind you, they all involved accidents that happened prior to March, but we were concerned because actuarially, as members know, that fund was a disaster. Had we applied the same insurance tests prior to the introduction of compulsory insurance, it would have been declared insolvent.

While the need for it is self-evident, we are pleased to say the number of accidents being claimed under that fund now is coming down to what was anticipated. Quite frankly, I think that is rather reassuring to the motorists of Ontario as well as to the entire population. In its heyday the MVAC was a free ride for the irresponsible. I do want to bring to the attention of the House that the penalty fee, which I kept raising and last went to \$150, was really only half the price of what proper insurance would have cost.

Perhaps to save a little time later, I could reply to a point raised by the member for Ottawa East (Mr. Roy). I think one of the false concerns about the extent of damage claims may be the result of some of the publicity that comes from the United States. The member, on the basis of his experience in litigation, does point out that he was somewhat surprised that there has not been more of a groundswell to get that basic minimum up. One of the reasons why there has not been that groundswell is a great deal of the medical cost is the repayment of the Ontario health insurance plan, which is a much lower medical cost than in the past.

By the same token, I will agree with the member, had we continued at \$100,000, two or three years from now there would have been a demand that it be raised. The

difficulty would have been, had we waited, that somebody would have had to be injured. The member, as a solicitor, would have had the very difficult experience of being able to obtain for them a proper judgement, only to find out half of it was valueless.

With \$200,000, at least for the next year, plus the ability to reinsure oneself against coverage, we have virtually ended the day when it is beyond anybody's ability to protect himself to the extent that a proper judgement achieved in the courts will be available to him and able to be translated into services or repayments or actual cash.

**Mr. Breithaupt:** Mr. Speaker, I am pleased to support this companion bill to the amendments to the Insurance Act. Yes, I was in error when I suggested that uninsured motorists would still be part of the accident claims fund because now with the coverages, for which one's own insurance company in fact protects one, that problem is out of the way. However, as the minister mentioned, there are still hit-and-run accidents and there are stolen cars. These problems will no doubt be with us.

I presume from the number of claims that the minister refers to of some 20 or so a month since the summer the \$1 of the \$3 of the annual licence fee will be a sufficient amount of money to cover the expected costs. As I recall in the calculations we did at the time, the reserving of expected claims would have somewhat more than used up the funds and the prospects of recovery at the time. We thought it might or might not be that this \$1 per year would be sufficient. I am glad to hear the circumstances have worked out so that not only are the claims down but also we will build up some cushion which we hope will see that dollar amount as sufficient at least for the expected claims that arise in the future.

8:50 p.m.

There is of course the protection of the \$100,000 figure for this past three-year period, and we look forward to the commitment as of March 1, 1981, to have this matching requirement and the opportunity for payment to match that which will occur from the basic increases in coverages.

We are certainly pleased to see this necessary companion bill, and of course it has our support.

**Mr. M. N. Davison:** Mr. Speaker, in the absence of the Deputy Speaker (Mr. Edighoffer), the minister and I had a little set-to on a point of privilege about the designa-

tion of my riding. I would only suggest that the minister should reconsider taking first-year logic courses. Just because the minister rarely sees me in the hours during which the Legislative Assembly sits does not necessarily mean that I am not here, but it implies the fact that my attendance is much better than the minister's own. I would be quite happy to compare records with him at any time regarding attendance in this assembly.

Of the bill, if I can be more specific: We also support this companion bill to the Insurance Act which raises the minimums.

**Hon. Mr. Drea:** First confession of the invisible man.

**Mr. M. N. Davison:** What's this? What's this? I can ask a tangential question of the minister in his capacity as the R2-D2 of the Tory party, on the Motor Vehicle Accident Claims Act? Will the minister bring us up to date, statistically and numerically, on the number of people in the province who are driving at this point without automobile insurance? He supplied us with rough figures for the states of New York and Michigan, which also have compulsory auto insurance. Just for the record of the House, will he supply the figures for the province if he has them? If not, perhaps he can send them by way of letter.

Since the minister said there were 20 claims per month to the fund which were cases of stolen cars or unidentified drivers, will he bring the House up to date on the average dollar figure per claim? If he does not have those figures tonight, perhaps he will pass them along by letter—if the minister ever finds out what is happening with this part of his ministry.

**Hon. Mr. Drea:** Mr. Speaker, on a point of order: The member is confused. Some of the claims are initial ones. We will not know the volume or the actual dollar amount for the damage for some time to come. If it is a very simple accident like a busted fender for \$400, I can give members that figure, but where there is a lawsuit going into the courts, where there is a claim of \$200,000, we have to wait until the lawsuit is over to find out whether the person got nothing or \$20,000. An understanding of the motor vehicle accident fund—I draw this to the attention of perhaps one other member—is that there has to be a court judgement. There is a relatively lengthy delay. The driver who did not have insurance in the old days was given the full protection of the law. In the case of a stolen car and so forth, there is the matter of determining whether that per-



son was in that car by consent of the owner et cetera.

I can give a dollar amount for claims which faced us two or three months ago, but the question that the member is asking is logically impossible to answer. If the member understands those facts and if he wants to ask for other data that I can provide, then he should feel free to do so.

**Mr. M. N. Davison:** Forgive me, I did not ask for the minister to be sophomoric and obtuse. I would be quite happy to have the minister supply me with the information he has. Even I do not expect the minister to do the impossible.

**Hon. Mr. Drea:** Thank you.

**Mr. M. N. Davison:** I will settle for the information he has. He has enough trouble doing the probable.

Finally, we extend our support to this increase in the maximum payouts in the fund, as it goes along with the increases in the Insurance Act itself.

**Mr. Roy:** Mr. Speaker, I have a couple of brief comments on this legislation. In reference to the minister's earlier comments dealing with the medical claims involving these accidents, I believe an agreement has been arrived at with the insurance companies and the Ontario health insurance plan where we do not even have to cover the medical claims any more.

**Mr. Breithaupt:** That is in our report from the company law committee.

**Mr. Roy:** Yes. My colleague the member for Kitchener tells me that is as a result of one of the recommendations of the great and long-standing select committee on company law.

I just say to the minister, we do not even have that now. When he indicates to my colleagues, quite rightly, that the fund does not cover a situation where there is a lack of insurance because of the coverage by one's own insurance, does that include even non-residents, for instance—tourists in the province? Does one's own insurance provide coverage if one is involved in that sort of accident?

**Hon. Mr. Drea:** In reply to one of the concerns put forward by the member for Ottawa East (Mr. Roy), I have to say that the model for the program we have within the province now was the extraterritorial agreements with states and insurers in the United States. Because most states did not have motor accident claims funds such as here, there obviously had to be some solution to the matter of the uninsured "foreign."

At one time before reciprocity in Canada that was the model: your own insurance company would repay, and then—and I want to make this point—collect off the guilty party, or at least try to. It is not a free ride in any way, shape or form.

The reason I drew attention to the motor vehicle accident claims now being down for the first time to 20 is that we wanted to get all of this out of the MVAC fund. We wanted to get it properly out there in responsibility so that the taxpayer was not subsidizing it.

I wish there were not stolen cars or hit-and-runs but I think one has to look at the risk factor in general society. At least it was getting down there. It is about five per cent—or maybe two per cent—of what we used to have when for \$150 one could pay a penalty fee. I think that is very significant. Obviously it is meeting the intentions of the act.

There was another question. What I raised about New York state and Michigan is by admission of their own authorities; they simply are not able to enforce their compulsory insurance. Compulsory insurance is being enforced in this province. The police—the municipal, regional and provincial police—are being very active. There was always the concern, "Will the police really look for that pink card?" I will state that the police are looking for it. The police are enforcing it.

**Mr. M. N. Davison:** What per cent are we down to?

**Hon. Mr. Drea:** I do not know on any given day what per cent we are down to. How do I—

**Mr. M. N. Davison:** Give us an average.

**Hon. Mr. Drea:** All I can say is that on the basis of the new applications for insurance and a number of other factors—and bear in mind that I have to do it on the basis of one day; let's say it is March 1, because heaven still knows that one can cancel or not pay or bounce a cheque, or what have you—I would estimate right now that less than two per cent of all the motorists in Ontario who may be driving on a given day are not insured. I am not talking about the illegal drivers; I am talking about the others. That is an estimate.

9 p.m.

In a couple of years, with some computerization and things the insurance industry is bringing in and a great number of things my friend and colleague the Minister of Transportation and Communications (Mr. Snow) has well in hand, one will not drive for a day without it. But I have to be realistic at this time. That, of course, is why one can

buy, in addition to ordinary coverage, the underinsured. A person who is underinsured is only going to be paid for by one's own insurance company up to the limits.

I brought up the question—and I am not trying in any way, shape or form to knock New York state or the state of Michigan—because I wanted the members from the particular border areas to understand that I recognize only too well the potential problems of residents in their areas. I see the member for Sarnia (Mr. Blundy), to whom I would say that, again because of the population, although probably not as much, none the less Lambton county, including Sarnia, has been a significant place in the past for motor vehicle accident claims from Michigan or American drivers. We are aware of that. The difficulty, while we can get to a realistic solution on the problem, which is the reciprocity, is that special endorsement the person can buy.

Motion agreed to.

Ordered for third reading.

#### CHILD WELFARE VALIDATION OF ADOPTION ORDERS ACT

Mr. Watson, on behalf of Hon. Mr. Norton, moved second reading of Bill 171, An Act to provide for the Validation of Certain Adoption Orders made under the Child Welfare Act, 1978.

Mr. Watson: Mr. Speaker, the purpose of this bill is to make it clear that an adoption order made by the Supreme Court or a county or district court with respect to proceedings commenced before the Child Welfare Act, 1978, came into force is a valid order notwithstanding that the order was made by a provincial court, family division, or the unified family court.

The Child Welfare Act, 1978, which came into force on June 15, 1979, transferred the jurisdiction over adoption proceedings from the county or district courts or the Supreme Court to the provincial court, family division. In an unreported decision, dated January 11, 1980, the Ontario Court of Appeal indicated that the county or district court had no further jurisdiction to entertain or to continue to entertain any adoption matter as of the day the Child Welfare Act, 1978, came into force, which was June 15, 1979.

Since June 15, 1979, more than 200 adoption orders have been made in county or district courts in proceedings commenced before that date. This proposed legislation will prevent the status of more than 200 adopted

children from being challenged in the future at some point.

Mr. Blundy: Mr. Speaker, I rise to support Bill 171. I would like to point out that, in my opinion, what the bill will accomplish is the only logical way to overcome the problem that has arisen. The alternative to not having such a bill would be an untenable situation. A notice could be required to be sent, if these adoptions took place or were started before June 15, 1979, that could call people back into court to have adoptions reviewed and could cause considerable difficulties for the biological parents as well as for the children.

This bill will ensure that no adoption order made on or before June 15, 1970, by the Supreme Court or the county or district court in proceedings before June 15, 1979, shall be invalid solely because the order was not made by a provincial court, family division, or the unified family court.

It is a logical bill and will offer further protection to adopting parents and to adopted children, and it will cut down on unnecessary court appearances and costs. I believe it is a proper bill, and I would like to support it fully.

Mr. McClellan: Mr. Speaker, I am pleased to support the bill, and I do not feel any need to say much more than that. The problem is that there was a lack of a proper transitional section within the Child Welfare Act. I would have thought that, with a distinguished lawyer as the minister and a distinguished judge as the assistant deputy minister, these kinds of things might have been noticed, but they were not and the remedy before us seems to have made right the situation that resulted from the court of appeal decision in 1979.

Without further ado, we support this amendment to the Child Welfare Act.

Mr. Watson: I appreciate the support from the members opposite. To the member for Sarnia (Mr. Blundy), I would like to point out that the problem has not arisen with any of these adoptions. As the member for Bellwoods (Mr. McClellan) mentioned, it was a court of appeal which really did not affect these specifically but alerted our ministry to the problem; it is only those that were commenced before June 15, 1979, and then followed through in that court afterwards.

If the ministry had to do it again, I say in response to the member for Bellwoods, we might have included a transitional section



but at the time it was done, a major piece of legislation, it did not seem necessary. We too feel this is logical, and we want to remove any doubts or clouds that would be on any adoption solely because somebody discovered it might have been done in the wrong courts.

Motion agreed to.

Ordered for third reading.

**The Deputy Speaker:** I would like to advise the House that Mr. Di Santo's motion will be discussed Thursday at 10:30 p.m.

The House adjourned at 9:09 p.m.

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- Davison, M. N. (Hamilton Centre NDP)
- Drea, Hon. F.; Minister of Consumer and Commercial Relations (Scarborough Centre PC)
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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, October 30, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, OCTOBER 30, 1980

The House met at 2 p.m.

Prayers.

## STATEMENTS BY THE MINISTRY

### FEDERAL BUDGET

**Hon. F. S. Miller:** Mr. Speaker, this chamber is aware that on Tuesday night the Minister of Finance, Allan MacEachen, brought down his first federal budget in Ottawa. Today I would like to make some observations about that budget from the point of view of the Ontario government.

Let me say clearly that the federal budget is an inadequate approach to the resolution of Canada's economic problems. While it does present a constructive approach to a national energy strategy, I am convinced that the budget contributes little to the development of national economic strengths. In fact, Mr. MacEachen has ignored his responsibility to provide economic leadership and direction for Canada, and has chosen instead to produce a budget that is oriented primarily to the development of an energy policy.

Further, and even more serious, the budget does not appear to address Canada's economic needs from a national perspective, with the result that some of the structural problems that we face and that contribute to the current climate in the Ontario economy are not even addressed. I am deeply concerned that the net impact of the budget measures will only contribute to the current recessionary cycle in Ontario while not providing a clear set of economic priorities or initiatives that will contribute to future development.

Mr. John Crosbie's December budget, referred to by Mr. MacEachen so many times, did address these questions and did cushion the impact of energy price increases on low-income groups least able to absorb the changes.

Interjections.

**Mr. Speaker:** Order. Notwithstanding the provocation, will all honourable members allow the Treasurer to continue?

Interjections.

**Hon. F. S. Miller:** We have waited a long time for this budget, Mr. Speaker. The Minister of Finance tells us that the budget develops a strategy that is "in the best traditions of the Liberal Party." There is no question in my mind that that is a true statement; the Liberal Party has never had a clear economic strategy and this budget does not give us one.

The present budget approach is to treat the problem of high and rising unemployment as a low priority. The Liberal Party, in its own words, has been "wrestling inflation to the ground" for 10 years now, and the deficit problems arise from its refusal to put its house in order. We are still paying for these failures and this budget only tells us we are going to pay more.

There are more uncertainties in this budget than there are answers; that is another Liberal tradition. Although Mr. MacEachen did not deindex personal income taxes, he implies that deindexation will be reassessed in the not too distant future. He implies that there will be significant cuts in federal-provincial transfer payments. He hints at changes in the capital gains tax. He suggests a reduction in tax expenditures.

Even specific budget measures cannot be adequately assessed. The Canadian ownership charge, which is a special levy on all gas and oil consumers to finance Canadian takeover of multinational oil companies, is not specified. We are given no details of the federal plan to promote industrial restructuring and manpower retraining, two areas that are especially critical to Ontario's future economic strength.

So the overall impact of the budget is to produce more questions than it resolves, to increase the uncertainties that have hindered Canada's and Ontario's economic development in the past, and to make me seriously question the ability of the present Liberal government to provide the economic leadership that is essential to Canada's future.

Let me focus for a moment on the significant structural problems that are inhibiting the development of our economic potential in relation to what the budget has proposed

—inflation, high interest rates, unemployment, industrial redevelopment and the growth duality of Canada's economy.

Double-digit inflation is predicted to continue through 1981. Thereafter, the inflation rate is projected to decline somewhat but to continue through 1985 at relatively high levels. The impact of the budget is inflationary; there is no question about that. Increased prices do add about 0.4 per cent to the inflation index for every \$1 increase in the per-barrel price.

While I concede the necessity of increasing domestic oil prices, those increases must be balanced by some offsetting programs to protect consumers from the inflationary impact that those increases generate. The Liberal budget contains no such offsets, no measures to assist the Canadian public to adjust to the inflationary effects of higher energy prices.

**Mr. Breithaupt:** That's "The federal budget."

**Hon. F. S. Miller:** It is nice to know that the honourable members opposite are now separating themselves from the Liberals. It is now "the federal Liberals" again, isn't it? It is longer "our friends in Ottawa." All of a sudden the members opposite have found something they can use to separate themselves again from Ottawa, haven't they? The federal Liberals' friends, the Ontario Liberal Party, can listen now.

The high interest rate policy pursued by the Bank of Canada will continue to have the support of the federal government. That means that if interest rates rise in the United States, they will rise in Canada, and will continue to have a negative impact on consumer demand and investment decisions.

Mr. MacEachen has projected that the national unemployment rate will rise to a level in excess of 8.5 per cent next year and will remain close to eight per cent for five years. His response to that increase does not address how to reduce unemployment. What he will do instead is increase, by 33 per cent, the level of unemployment insurance premiums in a province that already has a surplus on that account. That is a direct tax on the people who can least afford to pay it, the average worker in the province, and it will cost the Ontario economy alone over \$300 million next year. The budget measures enshrine higher rates of unemployment and increase the costs to the unemployed, while at the same time fuelling inflation.

2:10 p.m.

As a key element in the government's so-called "economic strategy," the budget provides for major new expenditures on economic development, industrial adjustment and manpower retraining—laudable objectives every one and critical to Ontario's economic future. But the funds allocated to meet these objectives are insignificant and are spread over a four-year period, distributed throughout Canada's regions and within programs that have yet to be specified.

Again, we must wait for another six months before the Minister of Industry, Trade and Commerce, Herb Gray, will announce his industrial strategy initiatives. No expenditures are contemplated to assist the manufacturing sector in adjusting to higher energy prices. There is no reference to the auto sector, an industry significant to Canada and vital to Ontario.

Given the magnitude of revenue flows projected and the size of assistance going to western Canada, the funds allocated to economic development are puny. In four years, industrial restructuring and manpower programs receive the same amount as the western economic development fund has been given in the first year alone. In fact, if one excludes that western economic development fund from his development envelope, spending on economic-development will increase by only 15 per cent next year and by less than the projected rate of inflation in the years following. That is an indication of the priority the Liberal government has given to economic development in Canada and it is clear proof of the fact that there is no federal economic strategy.

As a further development incentive, the budget enriches the investment tax credit for new capital investments made in specifically designated areas characterized by high unemployment and low income. The criteria of the new program, that only five per cent of the population will be affected and that major urban centres will not qualify, mean many Ontario communities that could benefit from such a program, such as Windsor, could be deliberately excluded. While the implications for Ontario of the lack of a clear economic strategy are disturbing, I am even more concerned by the increasing imbalances in regional economic performance that are being encouraged and supported by this budget.

We are rapidly developing two separate economies in Canada. We have an overheated economy in the resource-producing provinces with resultant relatively low unemployment rates, reduced levels of provincial taxation



and high investment opportunities. At the same time, the manufacturing-based provinces and Atlantic Canada are faced with economic recession, increasing levels of unemployment and high government deficits. This economic dualism threatens the economic fabric of the nation and makes it extremely difficult to deal in any realistic manner with inflation and unemployment.

An effective federal budget would address this problem and attempt to balance national economic development with stimuli and incentives where they are most needed. How does Mr. MacEachen approach the problem? By making it worse than it is at present. Federal budgetary measures strengthen support to the already overheated sectors of Canada's economy, while providing Band-Aids and peanuts to those sectors that are most in need of economic stimulus.

Four billion dollars will be pumped into the western economy through the western economic development fund. This is in addition to the \$38 billion that will flow to the producing provinces as a result of the federal energy package over the next few years. Part of this western economic development fund will be used to modernize the western transportation system. I have no quarrel with that objective, but I cannot understand why the federal government would pursue modernization of the western transportation system and totally ignore pressing and similar needs in the rest of the country.

Modernization of the Windsor-Quebec transportation corridor has been discussed for many years. Canada's urban centres desperately require assistance to develop transit systems, even more so now as commuters look for more energy-efficient ways to go to and from work. Why did the budget not address these concerns? Why has the national government not taken a national perspective in its assessment of the transportation problems that face all parts of the country?

While promising a \$4 billion development package to western Canada, the budget proposes \$350 million for industrial development and manpower training. In fact, the four-year national economic development program gets the same level of funding as the first year of that western development program. In subsequent years, the western program doubles and triples while economic development generally receives increasingly less attention.

The federal government also plans to consider initiatives relating to industrial diversification and to re-examine trade and industrial policies to serve western development

better. Again, I commend those objectives but there should be also concerted efforts to address the same needs across the entire country. Has Mr. MacEachen written off those parts of Canada that need his assistance most? Admittedly, the energy package proposals extending the natural gas pipeline and supporting coal conversion, retrofitting and hydro developments will meet Atlantic Canada's pressing problems with respect to electricity costs. That, however, is only one component of the economic difficulties facing that region.

Turning to central Canada, our economic recovery is left entirely dependent upon US economic fortunes rather than on the restructuring and the strengthening of the manufacturing sector. We are not even assured the spinoff benefits of western resource developments, as Mr. MacEachen suggests, because he is changing procurement policies that will restrict Ontario's ability to compete effectively in western markets.

The outlined tax increases, the hike in Unemployment Insurance Commission premiums and the continuing higher inflation rates will squeeze consumers and hurt purchases of durable goods. In terms of real growth, central and eastern Canada can be expected to significantly underperform western Canada next year at least.

The budget's outlook for 1981 is very pessimistic, forecasting a very sluggish recovery of one per cent real growth in 1981. This forecast does not even consider the implications of the Canadian ownership charge, which will further dampen consumer demand. He forecasts job creation at 85,000 for Canada as a whole, which means Ontario's unemployment rate could rise.

In spite of these forecasts, the federal budget does not address the question of short-term economic stimulation to increase consumer demand, develop new job opportunities and carry us through the vulnerable period between now and mid-1981. There is room within the existing federal expenditure pattern to find funds for this purpose. Instead, we get increased employment taxes through the UIC premiums and no protection from budget-induced inflation.

Without question, the energy package is the major feature of Mr. MacEachen's budget. I am not going to comment in any detail on the specifics of the energy proposals themselves, because they will be addressed by my colleague the Minister of Energy (Mr. Welch) in this chamber. I believe strongly that more of the nation's petroleum industry should be Canadianized, but I make a very

clear distinction between Canadianization and nationalization. Nationalization along the lines the budget has proposed will simply export Canadian dollars without adding one barrel of oil to our supplies. Taxing the Canadian people to buy the existing industry is really a misallocation of resources and a waste of time.

A key element of the Ontario position with respect to energy price increases is that they must be accompanied by a reinvestment strategy designed to support consumer adjustment, provide industrial restructuring incentives, promote conservation and substitution and increase domestic energy supplies. Ontario recognizes the inevitability of higher energy prices, but insists that the revenue produced from them serve national economic priorities.

In many respects, the new spending package falls short of meeting Ontario's concerns. It does not provide support to the consumers to meet inflationary pressures. It does not provide adequate stimulus for the industrial restructuring that is essential, and it does not provide Ontario with offsets necessary to justify the heavy impact of the higher prices. Under the new regime, Ontario residents will pay an additional \$2 billion next year and about \$5 billion annually between 1983-84 in increased energy costs, and this does not include the yet-to-be-specified costs of the Canadian ownership charge.

2:20 p.m.

In return, Ontario will receive the uncertain benefits of the general economic strategy and a portion of the proposed \$80 million annual increase in funds for industrial restructuring and manpower retraining. Of the \$8.2 billion in new energy initiatives, Ontario may be able to participate directly in only about \$1 billion. In effect, we are being asked to pay a high price for increasing security of supply without any certainty that, over the long term, a coherent and supportive economic development policy will result. The shorter-term implications are very clear, however, in terms of inflation, consumer demand and unemployment.

I am pleased to note that the federal government has accepted Ontario's position with respect to a blended price structure for oil pricing and has moved to develop a revenue-sharing arrangement that provides increased funds for national priorities. I am also happy with the fact that the government has chosen not to increase direct personal and corporate income taxes and has held off, at least temporarily, on the question of de-

indexation. I would like to think that Mr. MacEachen listened closely to the Ontario views presented to him in September and the representations made to him by other members of my party.

The reduction of the federal deficit was one of my primary concerns when I met in Ottawa last month with other provincial finance ministers and Mr. MacEachen. In one sense, Mr. MacEachen has moved a lot closer to the development of a systematic program to bring the deficit under control, as I strongly advocated. However, I am not at all convinced that the "great restraint over expenditures," in his own words, has been achieved.

The emphasis on expanding and redesigning manpower training programs is also very appropriate to Canada's future economic development. Although I am concerned that no specifics have been announced and that financial support may not be adequate, I am looking forward to working with the federal government to develop necessary programs. A conference of ministers of finance and economic development has been promised for the near future. That is an appropriate forum in which details could be effectively pursued.

The continuation of the MURB incentives, the extension of oil export charges to international flights and the rollback of taxes on fortified wines are all appropriate measures that deserve Ontario's support.

In summary, let me restate that although there are some positive aspects to this federal budget, it falls far short of addressing the significant economic concerns and providing the real leadership that is essential to Canada's future prosperity. In fact, it is not a real economic policy statement at all. It does not curb inflationary pressures; it does not address the needs of the manufacturing sectors of the economy; it contains no measures to assist consumers or industry to adjust to changing energy price structures; it provides no support for alternative modes of transportation, and it does not address the critical area of policy development appropriate to Canada's increasingly dualistic economy.

I have very serious doubts about a national government that has chosen to address critical economic questions from a regional rather than a national perspective, that pumps \$4 billion into a western economic development fund while ignoring similar eastern problems and leaving the whole question of national economic development up in the air. I am further dis-



turbed by the implications of Mr. MacEachen's statement that he hopes to achieve significant expenditure reductions through the renegotiation of transfer payments in social program areas. Transferring expenditures to other levels of government is not the way to keep federal expenditures in line.

From the point of view of the Ontario government, this budget has posed the province with some significant problems. As a province, we cannot deal with the inflationary and structural problems that at present contribute to our economic situation. Only the federal government has sufficient leveraging powers and monetary policy controls to effect those kinds of changes.

The failure at the federal level to address manufacturing, industrial and general economic strategies requires that the Ontario government re-examine its own position and policies in these critical areas. The dampening effect of the federal budget on the present economic slowdown in Ontario is of pressing concern to me. We cannot afford a deepening of the recession cycle or an extension of it, nor can we afford to sit and wait patiently for the American economy to spark our own. Some short-term stimulation of consumer demand to support job creation may have to be considered.

It is my intention to address these concerns in more detail when I present supplementary actions in the Legislature two weeks from today on November 13, 1980, at 8 p.m.

#### METROPOLITAN TORONTO CONVENTION CENTRE

**Hon. Mr. Davis:** Mr. Speaker, I understand the rules provide for only 30 minutes of statements on Thursday. I have a statement that may take me more than five minutes. If the members opposite do not wish to listen to all of it, I will understand. One of the members opposite at least has read parts of it already. I will start. We have seven or eight minutes so I might get through it.

It gives me a great deal of pleasure today to table the Bassett report—which I do not happen to have with me but I will get copies of it for the honourable members—on a new convention centre for Metropolitan Toronto and to announce that my government gives general endorsement to its recommendations.

First, I would like to thank Mr. John Bassett, chairman of the committee, for undertaking this study and for the many hours of fine work put in by him and the

other four members of the committee. As members know, John Arena, Johnny Lombardi, Arthur Ward and Michael Koerner served with Mr. Bassett.

**Mr. Peterson:** Where did they have their meetings, as a matter of interest?

**Hon. Mr. Davis:** They had them in Brampton. That is where the convention centre is going to be. I announced that earlier.

**Mr. Peterson:** How many lunches did the Ontario taxpayers pay for?

**Hon. Mr. Davis:** I want to make this point because the member for London Centre is very concerned about lunches. He spends more time at lunch than any member opposite. This report cost the taxpayers of Ontario nary a penny. It was totally a volunteer activity.

The report recommends, and we agree, that the new Metropolitan Toronto Convention Centre be developed by Canadian National adjacent to the CN Tower. The committee unanimously and unreservedly endorsed the CN proposal for four reasons:

First, and most important, perhaps, the CN proposal was the least costly of the proposals examined by the committee. The estimated cost is \$64 million.

Second, under the CN proposal, and this was a very important part of the arrangement that was made, the builder will be responsible for any cost overruns over the stated amount. Therefore, the government of Ontario, the federal government and Metropolitan Toronto, which are sharing the construction costs, will pay only a firm and fixed amount.

Third, not only is CN's submission the least costly, but it also provides for the largest convention facility—193,000 square feet in the main hall alone, capable of accommodating 11,000 people.

Fourth, the committee felt, and we agree, that the CN site is the best available to accommodate easy access by pedestrians as well as motor traffic, whether it be by urban transit or private vehicle.

I am also pleased that CN plans to build a 600-room hotel on the site—CN's first hotel in the Metro area—and has plans to build a low-rise office tower as well as part of the facility.

I think it is fair to say that CN's eagerness to undertake this project shows the confidence this major Canadian corporation has in the economic future of our province. I am also pleased that the site selected for the con-

vention centre has been endorsed by the federal government, the government of Metropolitan Toronto and the Board of Trade of Metropolitan Toronto. I hope members will agree that a new convention centre on the CN site, along with the CN Tower and the new Massey Hall, will dramatically accelerate the redevelopment of this area of downtown Toronto.

As to the funding of the centre, the government of Metropolitan Toronto has already agreed to pay \$13.5 million towards the cost of the new centre, and the federal government has agreed to contribute a further \$19 million. With our \$27 million commitment, \$59.5 million of the \$64 million has now been secured. With the Bassett report now in the hands of the federal and Metropolitan Toronto governments, we are hopeful they will join us in bridging the gap that remains.

As I am sure my colleague the member for Victoria-Haliburton (Mr. Eakins) will agree—he sat at the press conference listening attentively to everything I said, applauding vigorously at the appropriate time, almost pretending he was a member of the government in the process—I made it abundantly clear that the project would proceed with all haste.

**Mr. O'Neil:** We'll be over there soon.

**Hon. Mr. Davis:** I would say to the member for Quinte, fantasy time has not yet arrived.

Interjections.

2:30 p.m.

**Hon. Mr. Davis:** I have news for the honourable members opposite. They are going to be over there for so long they will forget what it is like.

Interjections.

**Mr. O'Neil:** We will be way over there.

**Hon. Mr. Davis:** What does the honourable member mean by "way over there"? He is pointing back home.

**Mr. Conway:** Mr. Speaker, on a point of order: I am one of those members who raised this concern last week. I want to stand in my place and tell you, sir, I am quite prepared to allow the Premier the time he asked for, realizing that on this day it tends to bite into the time for private members' public business later in the afternoon. But I resent very deeply, sir, the abuse of the time that we are being subjected to at present as a result of the Premier's performance.

**Mr. Speaker:** The honourable member knows quite well the maximum time, without

approval of the majority of the members of the House, will arrive in about two minutes and 30 seconds.

**Hon. Mr. Davis:** Mr. Speaker, speaking to the point of order, the member might speak to his own members. Why does he not have a word of prayer with them? He does not always have to look over here. He knows where the real problem lies.

The province is making a major contribution to this project. We are confident that in the long run the investment will justify the expenditure, both directly and indirectly, for Metro and the rest of the province.

First, the convention centre will create thousands of new jobs. In the two-year construction period, beginning next spring, approximately 1,000 new jobs will be created to build the new centre. After completion in 1983, the convention centre and CN hotel will require some 600 permanent new jobs.

As a spinoff for the hospitality industry, we estimate there will be a further 10,000 new jobs in Metropolitan Toronto and the surrounding communities to handle the business generated by the centre. In addition, some 2,000 new jobs will be created in other parts of the province.

Second, the convention centre will create millions of dollars in additional revenues. Five years after the centre is completed and when it will be operating at full capacity, we estimate that it will annually attract some 700,000 visitors to the province who will spend a total of about \$85 million. In addition, we estimate the centre will annually generate some \$48 million in tax revenues, one third of which will go to the province.

The new Metropolitan Toronto convention centre is necessary to keep pace with the rapidly growing convention and tourist industry. As members know, tourism is Ontario's number two industry and is continuing its healthy growth of the last few years. To maintain that growth, such a new convention centre is needed to attract visitors from around the world, to compete with similar centres in Canada and the United States and to ensure that Ontario continues to be the number one travel destination in this country.

We see the new convention centre as a people place, to use the words of the Bassett report, and not primarily as an exhibition showcase. Trade and other exhibitions will continue to be held at the Canadian National Exhibition and at the International Trade Centre. The new convention centre is to be



managed by a provincial crown corporation with a board of directors. The chairman of the board, who agreed to accept this responsibility yesterday—

**Mr. Speaker:** Order. The time allocated on this day has now been exceeded. Do we have the consent of the majority of the House to allow the Premier to complete his remarks?

Agreed to.

**Mr. Speaker:** The Premier can continue.

**Hon. Mr. Davis:** Mr. Speaker, I appreciate the generosity shown by the members opposite.

The new convention centre is to be managed by a provincial crown corporation. The chairman of the board, who accepted this responsibility yesterday, is to be Mr. Bassett, whose first duty will be to recommend the other board members as well as the president and the chief executive officer.

In the months ahead we look forward to the speedy creation of the new centre, another major investment in the future of this province.

#### MAILING PRIVILEGES

**Mr. Roy:** Does the Premier not find it disappointing that I get more applause than he does from his side?

**Mr. Speaker:** I rise on a question of privilege. It has to do with our mailing privileges as members, which I suggest, Mr. Speaker, are under your jurisdiction. I ask for your guidance and instruction on this matter.

It has come to our attention that there are what I consider to be mailings of Tory propaganda being circulated at public expense in the riding of Carleton. These are mailings emanating from the office of the member for Ottawa West (Mr. Baetz).

**Mr. Nixon:** The Minister of Culture?

**Mr. Roy:** The Minister of Culture and Recreation.

**Mr. Nixon:** Oh, how crude.

**Mr. Roy:** This mailing, which I consider to be four pages of pictures and Tory propaganda is now circulating in certain parts of the riding of Carleton. There is a by-election going on in that riding.

Attached to the mailing is some other information and I do not know what it is doing there. It is a Canada Trust circular talking about no-charge chequing accounts and mini-warehousing.

In any event, Mr. Speaker, I ask for your guidance. Is it not a breach of members' privileges to have Tory propaganda going through a riding at public expense during a by-election? I have no evidence the member for Ottawa West is personally aware of this. In fact, I would suggest that probably his face—

**Hon. Mr. Davis:** What about political calls on government trunk lines?

**Mr. Speaker:** Order.

**Mr. Roy:** I would reiterate to my colleague from Ottawa West that I have no evidence he is personally aware of this or is behind it.

**Mr. Nixon:** Or personally distributing it.

**Mr. Roy:** Yes. However, it may be the best thing for our candidate to have the minister's face going around the riding during a by-election.

I would like you, Mr. Speaker, to investigate and determine whether it is not a breach of our mailing privileges to have circulating, especially during a by-election, what turns out to be Tory propaganda at public expense.

**Hon. Mr. Baetz:** Mr. Speaker, I rise on a matter of personal privilege. The member opposite has indicated that is Tory propaganda. That is my constituency newsletter, which is not Tory propaganda.

**Mr. Sargent:** That's even worse.

**Hon. Mr. Baetz:** That is simply a newsletter. I would like to point out that on many occasions the federal post office in Ottawa—the post office of the member's party—makes mistakes in sending these constituency newsletters all over. I have had some of the junk that was directed to his riding come to me by mistake. I have also had a lot of constituency newsletters from Ottawa Centre coming to my riding. With this federal post office one never knows, it is in such a state of disrepair.

**Mr. Cassidy:** Mr. Speaker, I simply say a pox on both their houses; the Liberal post office delivers Tory propaganda. I want to say that the New Democrats are the only party with the real answer for Carleton.

**Mr. Speaker:** I will look into the point raised by the member for Ottawa East.

Oral questions: The member for Hamilton West (Mr. S. Smith).

Interjections.

**Hon. Mr. Baetz:** The member for Ottawa East doesn't pay enough attention even to write a newsletter; he doesn't know what a riding newsletter is, he is so busy practising law.

**Mr. S. Smith:** There seems to be some continuing interest in the previous matter. I do not want to interfere.

## ORAL QUESTIONS

### FEDERAL BUDGET

**Mr. S. Smith:** Mr. Speaker, I would like to direct a question to the Treasurer, if I might. I think we all understand the pressure the Treasurer has been under to try to put a little daylight between himself and his leader and the federal leader of my party; we can appreciate that. We are very pleased that his statement today was not nearly as hard on Mr. MacEachen as his previous statement was on poor old Mr. Crosbie; we appreciate that.

**Mr. Speaker:** I would like to point out to the Leader of the Opposition that the statements are passed. We are into the oral question period.

2:40 p.m.

**Mr. S. Smith:** That is very observant, Mr. Speaker, you are quite right. I will get to the question.

**Hon. Miss Stephenson:** Eventually, as usual.

**Mr. S. Smith:** Eventually, as usual.

**Mr. Speaker:** I just want to remind the Leader of the Opposition and all honourable members that question period started at 2:38 p.m. It is now 2:40 p.m. and we haven't heard a question.

**Mr. S. Smith:** You are absolutely right, Mr. Speaker. Would the Treasurer care to comment on what is, after all, the main provision of the federal budget, which is the very heavy taxation of the multinational oil companies? Would the Treasurer not agree that placing that kind of tax, taking a larger share of the oil prices for the federal government and leaving less for the multinational oil companies, and using that money for national energy purposes is very much in the interests of the people of Ontario?

**Hon. F. S. Miller:** Mr. Speaker, I understand the Liberal Party has endorsed this budget completely. That was the comment I got from the press.

**An hon. member:** Unequivocally.

**Hon. F. S. Miller:** Unequivocally a fine budget, one that was in the interests of Ontario. That is what I heard the member for London Centre (Mr. Peterson) say on television.

The truth is that that is just one of about six different taxes Mr. MacEachen put on. I commented to the Premier this morning in trying to look at this that it was as complex a budget as we have seen for some time. As the members saw in the Globe and Mail, Mr. Parizeau said it took a good computer most of yesterday to sort out what really happened. If Eisenhower had had MacEachen as an assistant in the last war, the Germans would not yet have discovered where we landed because he would have had so many smokescreens going and decoys set up in advance. It was just one of those cases where it wasn't as bad as he made us think.

There is a whole series of taxes, some of which are not yet quantified. The Canadian ownership charge is quoted in the working papers in so many cents per gigajoule and so many cents per cubic metre. If anyone ever wants to put data into a form that is almost totally useless to the average person reading a budget, he should look at that stuff. That is only one of many taxes. It really isn't a tax at all; it is a royalty taken right off the top. Very few of the traditional expenses are allowed for.

We don't object to sharing in the profits of the corporations. Obviously, that was a legitimate way for government to profit, but then one adds all the others, including the price increase for home heating oil so nicely slipped in there, something the Conservatives did not do. The Liberals slipped in a 47 cents a gallon increase for home heating oil effective over the next three years.

**Mr. S. Smith:** Out of all that, I take it the answer was yes, that is a good move, to tax the multinational oil companies. By way of supplementary, I would ask him to comment on page 10 of this statement today where he says the transferring of expenditures to other levels of government is not the way to keep expenditures in line. Can we take it that is a recantation by the Treasurer of his policy, and that school boards can now expect that he will be going back to 60 per cent support of the levels of education, since 10 per cent of the cost of education has been transferred to other levels of government as a way of pretending to keep his own expenditures in line?

**Hon. F. S. Miller:** Assistance to home owners in the form of the provincial property tax credit is very important in taking into account our overall assistance for education. The Minister of Education (Miss Stephenson) tells me it is currently running



around 57 per cent. Actually, 51.9 per cent is our present share of the total budget, plus the transfers—about \$470 million in gross dollars on property tax in Ontario. The fact remains that is direct assistance to the people in most need because it is progressive in its form. I would have to say one of the interesting things is that the federal government created the programs for which it created the transfer payments and then pulled out the rug from underneath once they were established.

**Mr. Cassidy:** Supplementary, Mr. Speaker: I fear that in talking about the complexity of the federal budget the Treasurer may try to convince us that in not understanding it he will do nothing in response. Would he assure the House that, when he brings down his minibudget on November 13, the government of Ontario will provide relief against the increases in energy prices for low-income families that the federal Liberal budget has failed to provide?

**Hon. F. S. Miller:** Mr. Speaker, I am going to be looking at a number of measures. We did provide at least one paper for the federal government specifying what we thought was needed in this budget. We waited for the response. It was not there. Obviously we are considering a set of options and I will be doing so at full speed for the next few days getting ready for November 13, which the member must admit is a remarkably short time frame.

### HOSPITAL INTERNS

**Mr. S. Smith:** Mr. Speaker, I have a question for the Minister of Health (Mr. Timbrell), who was here a minute ago. Where has he disappeared to? He was here a moment ago. Is he still around? In the meantime, I will ask the Premier and assume that he is around, because he was just here a moment ago.

It would appear that in a few hours the Professional Association of Internes and Residents of Ontario will be launching a strike affecting the 23 teaching hospitals and there will be serious repercussions for a health care system that is already overworked in Ontario. Will the Premier not agree that the only sensible solution to this ongoing problem year after year, where person after person has examined the matter and reported on it, is to accept that interns and residents are partly students and partly service givers—essential service givers at that—and they should have the binding arbitration other

people have recommended and they have been asking for?

**Hon. Mr. Davis:** Mr. Speaker, I would inform the Leader of the Opposition that the Minister of Health was here and has gone to open the new \$7.5-million expansion of the North York Branson Hospital, which is the third significant hospital opening that has taken place this week, including the Ottawa General Hospital on Monday or Tuesday, where we really missed the member for Ottawa East (Mr. Roy). I saw all his friends there.

**Mr. Roy:** On a point of privilege, Mr. Speaker: Why was I not invited? The Premier only invited his Tory friends.

**Mr. Speaker:** Order. Will the Premier answer the question in the absence of the Minister of Health?

**Hon. Mr. Davis:** Mr. Speaker, I will endeavour to answer the question in the absence of the Minister of Health and the supplementary question from the member for Ottawa East. I did not send out the invitations, and it is the first time in my life I have seen him hesitant about going somewhere where he was not invited. That's the truth.

**Mr. Roy:** If I had known about it, I would have been there. It's not Tory money; it's public money.

**Hon. Mr. Davis:** I am being very serious. The Minister of Colleges and Universities can bring us up to date on what is happening at this precise moment, if the Leader of the Opposition would not object to the redirection of the question to that minister.

**Mr. S. Smith:** The Premier can redirect the question himself if he wishes.

**Hon. Miss Stephenson:** Mr. Speaker, honourable members should know that my colleague the Minister of Health convened a meeting which began at 8:30 yesterday morning, continued through most of the day yesterday and will be continuing again today. In attendance were the members of the Ontario Council of Administrators of Teaching Hospitals and the Professional Association of Internes and Residents of Ontario, members representing the hospitals in addition to OCATH and some representation from the clinical services area of the universities of Ontario. It is my understanding that meetings are being held this afternoon as well and that the discussions are ongoing.

**Mr. S. Smith:** If I may ask my first supplementary: Will the minister agree, although

it is nice to know that meetings are ongoing, that this is a perennial problem that has been looked at by many fact-finders and students of the matter? The question always comes down to whether interns and residents are merely students, or are givers of service as well. It is always found that they are givers of service and essential service at that. Why does the minister not agree, therefore, that binding arbitration should be the method of determining the stipends for these interns in residence, thus avoiding strikes or talk of strikes when these people do not want to go on strike and do not want to leave their patients, and it is not in anyone's interest that they be forced into strikes?

2:50 p.m.

**Hon. Miss Stephenson:** In the finite definition of the word "perennial," this of course is not a perennial problem; it has not occurred with that frequency at all. There have been discussions in the past and there have always been solutions found in the past.

There is a question being raised on the basis of a report that was submitted this year, which I think is of great significance to all professional schools within Ontario, and it is a matter that is being examined in depth by specific groups within the Ontario Council of Health at this time. I am aware of the bias of the Leader of the Opposition, but it is my understanding that the groups attending the meeting are discussing this matter with open minds and with the intent to find a solution.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Can the minister explain why it is that, when the teaching hospitals and the interns were able and prepared to come to an agreement, the government permitted the universities and the medical schools to inject themselves into a situation around a phoney issue about whether or not interns are students, and thereby not only prevent an agreement being reached but also provoke a strike which nobody in the province wants? Why did the government allow the universities to inject themselves into this dispute? Why does the government not get the universities out of the dispute so we can get a settlement and make sure the interns can stay on the job?

**Hon. Miss Stephenson:** Mr. Speaker, last week, or earlier this week, I think I did clarify the fact that there had not been agreement reached, nor a memorandum of agreement reached, between the two groups.

There was a meeting of three individuals, one representing the Professional Association

of Internes and Residents of Ontario, one representing the Ontario Council of Administrators of Teaching Hospitals, and the third being the new dean of the faculty of medicine at the University of Toronto, who had not even attended his first meeting of the Council of Faculties of Medicine. He wanted to become more fully informed, and after that meeting he did send a letter which he felt intimidated or explained his understanding of the kinds of things that were discussed at that meeting.

We were informed clearly yesterday morning that the individual representing OCATH at that meeting received that letter and immediately notified the dean that that was not what had been discussed, that six of the items noted in that letter had not been discussed at all. It was later discovered that indeed the dean and the representative of PAIRO had drafted the letter, and there was a correction to that letter. That letter was never agreed to by the members of OCATH, and the member of OCATH who had been present had not been given the direction by that group to sign any agreement at that time.

#### FEDERAL BUDGET

**Mr. Cassidy:** Mr. Speaker, I have a new question for the Treasurer about his statement in response to the federal budget. Since the Treasurer's statement indicates that the rate of unemployment in Ontario will rise to well above eight per cent of the work force next year—that is, the number of unemployed will rise by some 50,000 over the current levels—and since the federal budget has taken no concrete action to create jobs and rebuild the manufacturing economy in this province or across the country, can the Treasurer assure the House that his minibudget on November 13 will contain the substantial measures for job creation that were lacking in the federal budget?

**Hon. F. S. Miller:** Mr. Speaker, I think I should make the difference between the predictions Mr. MacEachen made and what we would hope would be the state in Ontario next year. Mr. MacEachen made those predictions in his budget. I think he has been a bit pessimistic, particularly in job creation in Canada, when he said 85,000 in all of Canada. We have had very close to that in Ontario so far this year; I think the last figure I saw was somewhere around 80,000, in what is considered to be one of the more recessionary years since the war. So I am not prepared to say he used figures



that I believe are accurate. He simply painted a very dismal scene.

The fact remains that Ontario, particularly in the automobile sector, has been going through a very tough year. We felt, and still feel, that measures need to be taken to stimulate job creation between now and the time when we would predict that the economy would start to become more buoyant, and that is some time around June of next year. So I assure the member I am looking at ways and means to stimulate employment.

**Mr. Cassidy:** I am going to send to the Treasurer some figures we have assembled which totally contradict the propaganda put forward for political purposes by the Minister of Industry and Tourism (Mr. Grossman) just a few days ago with relation to the compendium on his statement. Since the figures we have assembled show the government's job creation policies have accounted for only 10,800 jobs in the first part of this year, compared with the more than 42,000 workers who have been permanently or indefinitely laid off from their jobs, will the Treasurer acknowledge that it was nothing but a piece of propaganda?

Can the Treasurer and the Minister of Industry and Tourism get their act together to ensure that we have in this province the kind of industrial strategy that will rebuild our manufacturing economy and create the jobs that 300,000 unemployed Ontarians and all the rest of us so desperately need?

**Hon. F. S. Miller:** The member has chosen a set of figures to suit his purposes. The fact remains that on September 30, 1980, close to 80,000 more people were at work in Ontario than were at work a year before—and those are not Ontario's figures; they are Statistics Canada figures.

**Mr. Peterson:** Supplementary, Mr. Speaker: There is some confusion with the leader of the third party but also between Mr. MacEachen and the Treasurer. Will the Treasurer kindly give this House the operative figures he is working on so we can all talk on common ground? What is unemployment going to be?

**Hon. F. S. Miller:** I have just been handed them, to have it accurately. Ontario's seasonally adjusted unemployment rate fell to 6.7 per cent in September from seven per cent the month before. Employment increased by 42,000 to 4,101,000 last month, while the labour force increased by 33,000; as a result, the number of unemployed decreased by

9,000. Ontario's actual unemployment rate in September was 5.9 per cent, down 0.5 percentage points from last month. Ontario's actual employment in September stood 85,000 above its year-earlier level.

#### ARMSTRONG CORK CLOSURE

**Mr. Cassidy:** Mr. Speaker, I have a question for the Minister of Labour about the layoffs that continue in this province, despite the claims of the Treasurer and of the Minister of Industry and Tourism.

My question concerns Armstrong Cork Industries Limited in Lindsay which is closing on November 7 with the loss of 300 jobs. When the US parent of this company made a profit of \$66 million last year and had a 27 per cent increase in its profits early in 1980, when the management admits the Lindsay plant has been making profits over the course of the past couple of years, will the Minister of Labour require the foreign parent of Armstrong Cork Industries Limited in Lindsay, before it closes the Ontario plant, to justify that shutdown and explain to the community and the workers involved why their jobs have to be ploughed under by this layoff?

**Hon. Mr. Elgie:** Mr. Speaker, in spite of the rhetoric, I am sure the member knows the carpet business in this province and in this country is in some difficulty. There are now a couple of carpet factories in the same position. As he knows, it is not a question of how things were in one year. It is a long-term picture of the viability of an industry in the province. I think it has to be said quite openly and honestly that the Minister of Industry and Tourism has worked with the company and continues to work with them to see whether there are some options for sale of the plant, for that portion of it or all of it that may be viable. What the prospects are, I am not certain because, as I say, it is an industry that has some problems.

No one is ever happy or has any pleasure in seeing an industry close, but to my knowledge the employees of that company and management have been able to work out fairly satisfactory arrangements about the closure.

3 p.m.

**Mr. Cassidy:** If I can get down to the case of one family and the effect of this lay-off, is the minister aware of the impact of the Armstrong Cork Industries Limited lay-off on the Coombs family? Caley Coombs, age 61, has had 24 years' service at Arm-

strong Cork; Edith Coombs, his wife, 63 years old, has had 12 years at Armstrong Cork; two daughters, a son and a son-in-law also worked at Armstrong Cork. Between the six of them working at Armstrong Cork, they had 75 and a half years of service, and all of them have been put on the street through this shutdown.

Does the Minister of Labour not agree that corporations should not be free to decide arbitrarily on shutdowns that have such a devastating impact on families like the Coombs family without previously justifying that shutdown publicly before the people involved?

**Hon. Mr. Elgie:** I indicated in very clear terms in a statement I made that this government has deep concerns about the plight of individuals and of communities regarding the shutting down of industries. We should not try to play games about who cares more. The difference for this side of the House is that one has to try to deal with problems responsibly, and yet recognize the problems of individuals like the ones the member has pointed to. I think we are doing that.

**Mr. S. Smith:** Supplementary, Mr. Speaker: Will the minister tell us whether his investigator or co-ordinator, or whatever the name is for the new official who is supposed to look into these things, will be meeting with that company? Will he be empowered to examine the books of the company to find out whether this closure is truly justified by economic conditions or has been imposed as a result of the policy of the parent company?

**Hon. Mr. Elgie:** Just so there is no implication that the individual chosen, Mr. Robert Joyce, lacks the skill and the respect to do this job, let me clear that. Bob Joyce, the special adviser to me on plant closures—

**Mr. S. Smith:** Who said anything about Bob?

**Hon. Mr. Elgie:** The member called him a "this" or a "that" or a "who" or "they." He is a very respected, able man, who is going to move into situations where there is a plant closure—

**Mr. S. Smith:** And he is nice to his family.

**Hon. Mr. Elgie:** Do not give me that psychiatric jigjag stuff. I am not on the member's couch; he is on my operating table. Does the member want to hear or does he want to psychiatrize some more? He should try listening. I know he is used to talking as a psychiatrist, but somewhere along the way he must have listened too,

because he passed the exams—I think. Did he not?

**Mr. S. Smith:** The only practice the member has had in surgery lately is lobotomizing his fellow cabinet members.

**Hon. Mr. Elgie:** That is not true. We did some wonders for the member's Parkinson's disease with surgery too.

I do not think there is any doubt that Mr. Joyce, an experienced man, will be able to evaluate the rationale and the reasonableness of the need to close. I am not aware of any suggestion that we have a large number of employers in this province who are trying to deceive us—nor indeed any. If the member has that information, he should tell me about it. But I have somebody now, a special adviser, who could give me that information.

## FEDERAL BUDGET

**Mr. Peterson:** Mr. Speaker, I have a question for the Premier about the economic statement, which I have to assume he approves. There is a very strong message in here that the Premier disapproves of the disproportionate share of the new wealth generated at the federal level that will be going to the western provinces. That is implicit in what is written here.

Mr. Lougheed is going to make an important statement tonight, and we have read a considerable amount of speculation in the press about cutting off supply or unilaterally increasing the price. Has the Premier conveyed his own concerns about this budget? Knowing of his close friendship with the Premier of Alberta, I wonder if whether he has expressed his views to him either formally or informally about what that would do to the Ontario economy and about this federal budget.

**Hon. Mr. Davis:** Mr. Speaker, I know the member for London Centre enthusiastically endorsed all aspects of the budget. This government, in a responsible way, recognizes the very significant shortcomings.

What was the member asking me? Whether I have communicated with the Premier of Alberta to find out what he is going to say on television tonight? The answer to that is no. I really do not know what he is going to say tonight. Is he asking whether we are concerned as to the priorities the government of Canada is establishing with respect to economic development? The answer to that, very simply, is yes.

There is no way we are being critical of the need or the desire to have economic



development in the transportation sector in western Canada. I would think as the member for London Centre travels—I know the only mode of transportation he uses is the roadbed from London to Toronto—he would recognize that an investment in terms of facilities between Windsor and Quebec would also be highly desirable.

The Treasurer is simply saying that economic development or stimulus should not be confined to one area of this country. That is all he was saying in his statement, and I think it is very valid. No one is quarrelling with the need for or the desirability of economic growth in the west.

I have said to the Prime Minister on many issues that the question of equity is relevant and that there is no equity in terms of the economics of this province or other parts of Canada. That is what the Treasurer was saying and I would hope the member for London Centre, as he reassesses what the Treasurer said, would perhaps tend to agree. I know it is difficult, but he ought to think about it.

**Mr. Peterson:** Let me ask the Premier the other part of my question. In view of the serious implications of what the Alberta Legislature, through its Premier, may announce tonight and the potential implication of cutting down supplies to the extent of 50,000 barrels of oil a day, has the Premier had any communication about that with the Premier of Alberta? Is he prepared to communicate about that with the Premier of Alberta? Has he assessed the serious implications for this economy of that kind of action?

**Hon. Mr. Davis:** I have been going by certain press reports. I have no idea what the Premier of Alberta intends to say this evening. I would say to the honourable member that it is not a question of what the Alberta Legislature will do, because quite obviously whatever the Premier of Alberta says this evening may be supported by his cabinet in caucus, but to my knowledge he has not discussed it with the Legislature of that province—at least I am not aware of it.

**Mr. Peterson:** The caucus.

**Hon. Mr. Davis:** The member said the Legislature, and I am trying to answer the question for him. I do not know of the Premier of Alberta having any endorsement to do anything from the Alberta Legislature; his caucus, perhaps.

**Mr. Laughren:** Supplementary, Mr. Speaker: Before the Premier recommends any-

thing to his Treasurer, I wonder whether he will carefully assess the recommendations from the member for London Centre in view of the fact that his praise for the budget may be somewhat affected by the fact that he may be running in a federal by-election.

Further, since the Premier has expressed some real concern about regional development in this country, will he also not consider that this applies at the provincial level as well? Will he direct the Treasurer to ensure that we have an appropriate regional development strategy which encourages the growth of the mining machinery sector, for example, in northern Ontario?

Finally, will he direct the Treasurer to build in some protection for people in northern Ontario, who have to heat their homes in much colder weather, in view of the rather rapid increase in the cost of home heating fuel which we can expect in the next few years?

**Hon. Mr. Davis:** I am sure, when the Treasurer is assessing those options that are available to him, he will take into account a number of these suggestions. I point out to the honourable member that there are limitations on what any single province can do, and I hope the members opposite are realistic enough to understand that.

In terms of regional development, this has always been the policy of this government. We have done it with some measure of success. Some of us are going to open the new Ontario government building in Sudbury which is a commitment by this government to see that we have economic growth there. The member's opposite will all be there sharing in the credit; they will be applauding in the front row when that building is opened next week.

HENRY KOWALSKI

**Mr. Breaugh:** Mr. Speaker, I have a question for the Premier. Can the Premier explain how a young man named Henry Kowalski can be taken from his family here in Toronto, spend 12 years in three psychiatric institutions, receive drug treatment, behaviour modification treatment, electric shock treatment and, at the end of that 12-year period, wind up sleeping on a cement slab in a unit for the criminally insane at the Oak Ridge branch of Penetanguishene Mental Health Centre?

3:10 p.m.

**Hon. Mr. Davis:** Mr. Speaker, I understand the Minister of Health is aware of this

situation and is quite prepared to answer the honourable member, I think on Monday—perhaps not tomorrow morning.

**Mr. Breaugh:** I am quite happy the Premier takes that attitude, except that is the exact same answer we got on Monday and Tuesday of this week to different questions. I understand the minister does not like the heat in this Legislature and he is taking advanced ribbon cutting—

**Mr. Speaker:** Order. Do you have a supplementary?

**Mr. Breaugh:** Is the Premier content with the comments made in letters sent from the Attorney General's office to this young man's lawyers, that the medical staff of the hospital have not been required, either by legislation or standards established by any other body, to record in writing the basis for any decisions to issue a certificate of renewal?

**Hon. Mr. Davis:** I am trying to be as helpful as I can to the honourable member. I said I would raise this with the Minister of Health. I will also raise it with the Attorney General (Mr. McMurtry), and one or both of them will have the answers to the questions he has raised. I anticipate it will be on Monday.

#### NORFOLK TEACHERS' DISPUTE

**Mr. G. I. Miller:** Mr. Speaker, I have a question for the Minister of Education. In view of the fact that the parents' group and I met with the minister on Tuesday night and provided her with 2,550 letters from parents in Norfolk, and in view of the fact that 500 students came to Queen's Park this morning and the presidents of the student councils, Steve Lowen of Valley Heights, Gary Bower of Waterford, Dianne Henson of Port Dover, Kevin Murray of Delhi and David Pond of Simcoe, expressed their concerns that they do not have a right to an education, will the minister agree to intervene immediately in the dispute between the Norfolk Board of Education and the secondary school teachers who have been on strike since October 2? This is the fifth week after 20 months without a contract. I might add that the students were an orderly group and I was proud of them this morning. They came down at their own expense, paying \$2 apiece. They came at 11:30 and left at one o'clock.

**Hon. Miss Stephenson:** Mr. Speaker, I am having a little difficulty with the mathematics—from October 2 to October 30 is five weeks?—but that is all right.

I was very pleased to have the opportunity, at the request of Mr. George Pond, to meet the concerned parents' group, a meeting which the honourable member and the member for Brant-Oxford-Norfolk (Mr. Nixon) attended on Tuesday afternoon. The parents' group did supply me with names, and I asked for some additional information which was delivered to me today and which I think will be of some help in the situation.

I did have the opportunity today at noon to meet a representative group of the executive of student councils from the Norfolk district secondary schools and was most impressed with the degree of responsibility they have demonstrated in attempting to provide some information generally to the members of the public in that area and in trying to induce some pressure that would persuade the two parties in this bargaining situation to resume negotiations.

The honourable members of this House, at the instigation of the former Leader of the Opposition and with the encouragement of a number of members in all parties, went through the process of developing a bill that governs collective bargaining within the teacher-board situation. That piece of legislation has been in effect for five years. It is called Bill 100, as everyone knows, and it does impose real responsibilities on those two groups which demanded those responsibilities in terms of their continuing collective bargaining relationship.

There would be no problem anywhere in this province at any time in that situation if the parties to negotiation were to exercise full responsibility, the kind of responsibility they have requested again in their responses to the review of Bill 100 this year. The parties—boards, school trustees and teachers' federations—specifically said again that they wished to continue with the kind of situation that prevails under Bill 100, because they feel it is most appropriate in the delivery of educational programs to children.

I am appalled when children are deprived of their educational program as a result of a lack of responsibility on both parts in any set of negotiations. I have to tell the honourable member that I am sure that is what is happening in Norfolk right now. I would like to demand, and have the members of this Legislature support my demand, that the parties to that set of negotiations resume negotiations today for the benefit of those children.

**Mr. G. I. Miller:** I want to say for clarification that this is the beginning of the fifth



week today, and that is what I indicated to the minister.

My supplementary question is, will the minister have the board of education, the teachers and the Education Relations Commission appear at her office to bring them together in resolving the dispute?

**Hon. Miss Stephenson:** The mediator, who is experienced in these circumstances, stands ready right now to meet and to bring both parties together to resume negotiations for a fruitful solution to this problem. I have asked that mediator to be ready. He is ready at this point. If my presence is necessary, I will be pleased to be there, but those parties must begin to assume their responsibilities. Otherwise, I think this House is going to have to seriously consider the future of that kind of negotiating process.

#### COMPANY QUESTIONNAIRE

**Mr. Martel:** Mr. Speaker, I have a question of the Minister of Labour. The United Steelworkers of America have submitted to me a copy of a medical questionnaire, a copy of which I have supplied to the minister, which is used by Canadian Blower-Canada Pumps Limited in Kitchener. It is the most offensive document I have ever seen.

Does the minister believe that workers should have to indicate whether they consume alcoholic beverages and how much per day, whether they have been on compensation and for what type of injury, or whether they have been rejected from the armed forces, to qualify or be considered for employment by this particular company?

**Hon. Mr. Elgie:** Mr. Speaker, I want to thank the member for giving me a copy of the form. I am surprised that he did not add some other outrageous questions on the application form.

I think medical information from employees falls into several categories. The first category, of which I do not happen to approve, is information which on the face of it has no purpose other than to decide whether to exclude a person from the opportunity to obtain employment. The second category is the type of medical information that is obtained to determine whether there is any reason why the future employee cannot perform the essential functions of the job, and other personal information about his health that might be relevant to the particular job; for example, it may be that someone who is allergic to down will be working in a down factory.

The third category is information relating to medical studies being carried out that are in the best interests of that individual or individuals in general in the work place.

I thoroughly approve of the latter two categories. The first category gives me a great deal of difficulty.

I want to assure the member that amendments I will be proposing to the Human Rights Code will restrict and, I hope, make the sort of questions in this form that trouble both the member and myself, and all of us, not possible.

**Mr. Martel:** I ask the minister, should women be subjected to the following type of offensive questions: "Do you have masses or cysts? Bleeding from nipples? Your menstrual history: The start of your menstruation; age, did you start at 10 or after 18? Are your sexual drives changed? What type of contraceptives do you use? Do you have pain on intercourse, or bleeding after intercourse?"

Surely this type of questionnaire cannot be tolerated in Ontario. It has nothing to do with employment. I think some sicko gets his jollies when he reads the responses. Will the minister make sure that women do not have to answer this type of questionnaire in Ontario?

**Hon. Mr. Elgie:** There are a variety of questions that go beyond the offensive ones the member has recited. I want to assure him that the amendments proposed will deal with that problem.

3:20 p.m.

#### UNIVERSITY FUNDING

**Mr. Sweeney:** Mr. Speaker, I have a question of the Minister of Colleges and Universities. I wonder whether the minister is in a position today to change some of the answers she gave to my leader on October 9 and some of the information she repeated on CBC on October 10?

Specifically, the minister indicated that the indicators used to compare provinces and their funding of education were derived from the Association of Universities and Colleges of Canada and had nothing to do with the ministry, when in fact it was a combination of the ministry and the Council of Ontario Universities that made up those indicators.

Second, the minister indicated that, if we included student aid, then Ontario would be in a different position. I think the minister

now knows student aid plays a very small part in the total financial package and is not one of the indicators; it is not even in the indicators.

Third, she challenged the 10th place for Ontario, and yet on August 25 the COU people met her and the Premier. Those figures were given to her, and they were not challenged at that time. Fourth, she indicated that she had no knowledge at all of the reserves of the various universities; and yet when we checked with the universities they said that information is included in their financial reports to the minister.

**Hon. Miss Stephenson:** Mr. Speaker, I had intended to rise today to clarify the tripartite relationship which had established the eight indicators for interprovincial comparison. It was the Council of Ontario Universities, the Ontario Council on University Affairs and the ministry which had worked together to develop the indicators and had worked with the Association of Universities and Colleges of Canada to utilize these across the country.

The response I gave in the House, unfortunately, was in response to an interjection that accused the ministry alone of being responsible for establishing the indicators. At that time, I should have included all three parties and noted that AUCC was a vehicle and an assistance. But the remainder of those answers are correct.

The figure provided to the meeting on August 25 was only one of the indicators used. The other seven indicators do provide for a modification of the position, in most instances, to somewhere between third and eighth in the list. If only one indicator is used, that is the position you get; if you use all of them—as was agreed by OCUA, COU and the ministry—then that position is modified.

I am aware that student assistance is not a matter of interprovincial comparison but, since the Ontario position is superior to that of any other in student assistance and since it plays an important part in the support of universities in provinces, particularly Ontario, if that is included then Ontario is third on the list—and that is factual.

In addition, the financial statements provided by the universities to the Legislature do not ask the universities to spell out what their current holdings are in all areas of their reserves and assets. The statements do ask for the drawings that have been taken from those reserves, but the universities are

not asked to spell out in detail the current market value of many of their real estate holdings.

There has been a great deal of discussion, at the present time and over the past several months—not just in this jurisdiction but also in others—about the adequacy of annual financial statements of universities to the various Legislatures or Parliaments to which they have to report. A good deal of discussion is going on between auditors, actuaries, universities and governments with the aim of trying to provide for a form that will be more informative. At present, even the most highly informed actuary would have grave difficulty in figuring out precisely what the reserves and assets of most of our institutions are; we are trying to correct that situation.

**Mr. Sweeney:** Will the minister comment on a response to my leader when she indicated, with respect to Ontario's position in the indicators, "the change has not been very dramatic over the past five years; it has retained that place"? The facts are that, on the first indicator, Ontario has dropped from sixth to eighth to 10th this year. On the second indicator, Ontario has dropped from third to eighth.

**Mr. Speaker:** What is the question?

**Hon. Miss Stephenson:** What figures is the member using?

**Mr. Sweeney:** Mr. Speaker, when the minister responded previously, she indicated there had been no change in Ontario's position in these indicators, and I am asking her to correct or clarify that. As a matter of fact, there are very significant changes which I am trying to draw to the minister's attention.

Over the past five years, when the minister said there was no change, Ontario dropped from sixth to eighth to 10th in the first indicator, from third to eighth in the second indicator, from third to seventh in the third indicator, from third to fifth in the fourth indicator and from third to eighth in the fifth indicator. If that is not a dramatic change, I do not know what is.

**Hon. Miss Stephenson:** The honourable member suggested I said there was no change. I did say that I felt there was no dramatic change. I still believe this is a matter of interpretation and opinion. He may not agree with me, but I do not agree with him.

**Mr. Speaker:** That clears it up.



### FRENCH-LANGUAGE SCHOOL IN PENETANGUSHENE

**Mr. Samis:** Mr. Speaker, a question to the Minister of Education: The president of the French-language action committee in Simcoe county has written to her recently expressing her concern and dismay that the promised French-language high school for Penetanguishene will not be built by January 1, 1981, because of the obstinate and obstructive attitude of the town council in rezoning. Can the minister tell the House what she intends to do to fulfil her promise that there will be a French-language high school in Penetanguishene by January 1981?

**Hon. Miss Stephenson:** Mr. Speaker, this week discussions went on and actions were being taken which I hope will resolve the difficulty at the local level which seems to be impeding progress in that important activity.

**Mr. Samis:** Since the francophone students are now housed in a condemned building in a village several miles outside of Penetanguishene, and since recruitment for grade eight students begins next week by the high school and few parents would want their children to spend a winter in a condemned building, will the minister personally intervene in this question to resolve the matter as she did last spring when things reached an impasse? Will the minister tell the House whether she is prepared to invoke section 32 of the Planning Act which was unanimously recommended to the minister on September 29 by the joint working committee?

**Hon. Miss Stephenson:** I am not sure the adjectives used by the honourable member are appropriate. I shall check that. I am also aware the registration completion will be in effect by mid-December; so that is a matter of concern. As I said, there is much activity going on at the present time, and I believe a successful solution will be found.

### UNIVERSITY FUNDING

**Mr. Roy:** Mr. Speaker, a question to the Premier: The Premier has received an honorary degree from the University of Ottawa—honoris causa—and just this week I understand the Premier was invited to the opening of the new Ottawa General Hospital, which is associated—

**Mr. Speaker:** Is this question of urgent public importance?

**Mr. Roy:** I feel very offended that you would think my questions are not of urgent public importance.

**Mr. Speaker:** I haven't heard it yet.

**Mr. Roy:** It is coming. Now that the Premier has had all of this graciousness from the Ottawa area, the opening of a new hospital and this honorary degree, is he going to see that the university will receive sufficient funds to carry out what the rector of the university calls its bilingual vocation? Is the Premier now going to respond to his request?

**Hon. Mr. Davis:** Mr. Speaker, I must say how honoured I was to receive that degree, from the University of Ottawa. I will get a copy of the very kind things the rector of that great institution said about the Premier of this province. He went back to the history of bringing the University of Ottawa into Ontario's provincial family and the great discussions that went on at that time. I am grateful for the very genuine appreciation expressed in the conferring of the degree a week ago Sunday. I am delighted the member for Ottawa East felt it necessary to bring it to the attention of the House. I thank him very much for doing so.

3:30 p.m.

**Mr. Roy:** Will the Premier see to it that the university gets sufficient funds to carry that out, as the rector considers it to be, and is very proud of what they are, the only bilingual post-secondary institution in Ontario?

**Hon. Mr. Davis:** I give a little challenge to the honourable member. I participated not too many weeks ago in an effort to assist that great university in the acquisition of capital funds. I took some time and spent some effort; I was delighted to do it. I would suggest to the member that I would be delighted to see just how much work he does in terms of the capital development of that university and how much he himself has contributed to that institution. How much has the member given as a graduate? How much is the member giving to the capital expansion fund?

**Hon. Miss Stephenson:** Mr. Speaker, on a point of order: The member for Ottawa East has stated that the only bilingual post-secondary institution in this province is the University of Ottawa. That is incorrect. I believe the member should say that his statement was incorrect. Laurentian University and Glendon College at York University are bilingual institutions. There are also at least five community colleges with bilingual programs.

## INDUSTRY SCREENING PROCESS

**Mr. Lupusella:** Mr. Speaker, I have a question for the Minister of Labour. Is the minister aware of a new workmen's compensation records survey being promoted in Ontario by Equifax Services Limited? The purpose of this survey is to help employers reduce their compensation costs by screening employees on the basis of previous injuries and WCB claims.

Is the minister also aware of the potential danger this service poses to the employment prospects of the 400,000 workers injured on the job each year in Ontario? What is he prepared to do to protect those who are injured or disabled from this kind of discrimination?

**Hon. Mr. Elgie:** Mr. Speaker, this relates somewhat to the question the member for Sudbury East (Mr. Martel) asked. No, I am not aware of that particular company. I am not aware of the particular recommendations they make. If I could have the opportunity to review the exact information about the company, I would certainly be happy to comment upon it.

I think in a general way I have indicated my criticism of that kind of behaviour if it is being utilized to exclude people from employment rather than to evaluate whether they can perform the essential functions of the job.

**Mr. M. N. Davison:** What is the minister going to do about it?

**Hon. Mr. Elgie:** Come on, now. I have already answered that; don't pull that game on me.

**Mr. Lupusella:** I think it is a completely different matter from the one that was raised by my colleague. At any rate, I am going to send a copy of a recent mailing on this service to the Minister of Labour.

Will the minister include in his report back what measures he is prepared to take to protect injured workers from this despicable kind of discrimination, including the outlawing of such practices under the Employment Standards Act or the Human Rights Code? Will the minister assure the House that amendments to the Human Rights Code will protect those workers from discriminatory hiring practices on the basis of both past injury and present disablement?

**Hon. Mr. Elgie:** I thank the member for the information. If he will read Hansard, I think he will see that I did answer his question when I spoke to the question of the member for Sudbury East.

## LAND ASSEMBLY OF A. E. LePAGE

**Mr. Sargent:** Mr. Speaker, a question of the Premier: In view of the slippery testimony of John White given to the public accounts committee about the \$60-million land acquisition program, that he singlehandedly engineered the deals in 20 secret meetings in his apartment with a Mr. George Cormack, a vice-president of A. E. LePage, giving him by a single handshake, about a \$5-million commission for the total package, can I ask the Premier whether he knew about the *modus operandi*? That is a good term to cover it. I want to ask the Premier, if he knew what was going on, did he approve of this?

**Hon. Mr. Davis:** Mr. Speaker, there is an obvious contradiction in the honourable member's question. Here there were a series of secret meetings. If they were secret meetings, obviously I did not know about them.

**Mr. S. Smith:** He kept the secret from you too?

**Hon. Mr. Davis:** He asked me if I knew anything about secret meetings. How could I know anything about secret meetings?

**Mr. Sargent:** You should be ashamed to say that.

**Hon. Mr. Davis:** You should be ashamed to say that if I didn't know there was a secret meeting that was secret, how could I know there was a secret meeting?

**Mr. Sargent:** He said you did know.

As a supplementary, the auditor's report says that a real estate company was retained by the then Treasurer of Ontario to acquire options to purchase land and so on, although the auditors were unable to locate a copy of any written agreement between the province and the real estate company.

I suggest to the Premier that he should ascertain in some way whether any money changed hands secretly and whether there were any payoffs, and he should guarantee to furnish to the public accounts committee the files of totally what went on in this \$60-million acquisition, because he owes it to the people of Ontario to tell us the truth.

**Hon. Mr. Davis:** I am prepared to have a little fun with the honourable member. I did not know anything of any "secret" meetings. I do know what the Treasurer recommended to cabinet. I would say to the member, if he is making allegations that the former Treasurer of Ontario was, using your own words, taking money or making some sort of deal, then I think it is incumbent upon the mem-



ber to produce that here in the House and not make that kind of allegation here. I really do.

You know, Eddie, I have got patience, and you can play games here, but you are not going to play games with the reputations of people who are not here to defend themselves. I mean it.

**Mr. Sargent:** You are the one who is playing games with \$60 million. Why the hell can't you tell us the truth? Give us the files, and we'll find out who is telling the truth. It is too bad you are getting tired playing games. There's \$60 million on the line.

**Mr. Foulds:** Supplementary, Mr. Speaker: Would the Premier be good enough to inform the House when he first became aware of the agreement that was referred to in the previous questions, and when he first became aware of the way the agreement was reached?

**Hon. Mr. Davis:** I would be delighted to find out for the honourable members any information I have about it. I think the former Treasurer was very frank with members of the committee and told them everything he knew about it. I do not know what further information they want, but I will see if I can get—

**Mr. Sargent:** Have you read the story?

**Hon. Mr. Davis:** Yes; certainly I read the story. If there is anything further I can get, I will be delighted to produce it. If members want to debate what the former Treasurer recommended, that's fine. I do not quarrel with that, but I do quarrel with the member for Grey-Bruce saying by implication the former Treasurer of this province was dishonest; that is exactly what he was implying to the members of this House, and I resent it.

**Mr. S. Smith:** He said no such thing. On a point of privilege, Mr. Speaker: The Premier must—

Interjections.

**Mr. S. Smith:** Would you like to hear the point of privilege? All right. Then just listen to it for a minute. Just keep your mouth shut and listen to it.

Interjections.

**Mr. S. Smith:** The Premier must be aware that the Ombudsman of Ontario has stated that he has some very serious reservations about a system in which meetings that took place in a hotel room, or whatever, arranged through one real estate agent a very large transaction of this kind in which land was then purchased without people knowing it was being purchased for the government.

The Ombudsman has stated that he cannot make any further comments on the matter and that members of this House cannot make any further comments without questioning the Premier, because it was government policy to do it that way.

3:40 p.m.

Is the Premier stating that it was simply the former Treasurer's policy, or is he saying it was government policy? That is really the question at stake here.

I did not hear the member for Grey-Bruce say the Treasurer was dishonest, and no one here suggested he was dishonest. Let the record be clear. No one here suggests the Treasurer was dishonest. Let us be clear about that.

**Hon. Mr. Davis:** He did.

**Mr. S. Smith:** I do not believe he did, and no one here does. In any event, the Ombudsman says we cannot deal with that matter because it was government policy, and yet the Premier said he did not know those meetings were going on. Did the Premier know the meetings were going on or did he not know they were going on?

**Hon. Mr. Davis:** I do not want to further aggravate the situation. I do not often become upset. I am prepared to have a little give and take. I have tolerated some suggestions from the member for Grey-Bruce over a number of years. I do not often take exception, but I would say on this point of order that the Leader of the Opposition said the member for Grey-Bruce did not create the implication that the former Treasurer of this province or some others—

**Hon. Miss Stephenson:** He used the word "payoff."

**Hon. Mr. Davis:** —payoff was the word used. If that is not an allegation of impropriety, I do not know what is. If the leader of the Liberal Party of Ontario really wanted to discharge his responsibility, he would ask the member to apologize for that suggestion; he really should. Let us debate the issue of the land acquisition, but let us not impugn people's integrity in the process. That is what he did.

**Mr. Speaker:** Order.

**Mr. Sargent:** The Premier had better find out from Mr. White what he told the committee.

**Hon. Mr. Elgie:** Just apologize.

**Hon. Mr. Crossman:** This is not the question period. Apologize or sit down.

**Mr. Speaker:** Will the honourable minister please be quiet. Does the member have a point of privilege?

**Mr. Sargent:** I have a point of privilege. The Premier takes great concern about my wording of it. I say, were there any payoffs? Mr. White told the committee the Premier knew what was going on. I respect the Premier. It is very important for me to know if the Premier did know that Mr. White told the committee the Premier knew what was going on. It is important for the Premier to know that. But I do want to know, by the Premier furnishing the file in total openness, what the hell happened in these goings on.

**Hon. Mr. Davis:** I would like to bring this to a conclusion. I am quite prepared to tell the member what he has just asked me, if he will apologize, not just to the members of the House but also for what was an obvious implication with respect to the integrity of the former Treasurer of the province. If he will say he did not understand what he was saying, if he will say that he really did not mean to create that impression, I will accept that as an apology from the member. But I insist on that, because that was the obvious implication. If the member did not mean it, then he should say so. If he does that, I say to the member for Grey-Bruce I am quite prepared to give him any documentation I have, because I do not have any.

**Mr. Roy:** The auditor has.

**Hon. Mr. Davis:** I do not have a personal file on this particular transaction. I am quite prepared to assure the member that the former Treasurer was and is a man of total integrity. The member either accepts my word for that or he does not. I say, with respect, if he will just say he did not mean to say what he said, I know how he works and I will accept that.

**Mr. Sargent:** Mr. Speaker, in reply to the Premier, I was not accusing, I was questioning, and I stand by what I said.

## PETITION

### PASS LAKE ROAD

**Mr. Foulds:** Mr. Speaker, I have a petition signed by 1,200 people. It was circulated by the Pass Lake-Pearl Women's Institute. I would like to read it into the record:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario that the Min-

istry of Transportation and Communications be instructed to improve and upgrade Secondary Highway 587 from Pass Lake Corner to Silver Islet. The present conditions are both hazardous and costly to vehicles. In particular, the corner at mileage 9.18 kilometres from Pass Lake Corner is of great concern. It has been the scene of many accidents and near-accidents, and we feel it is imperative that it be straightened as soon as possible. In general, the whole length of road should have a good-quality asphalt topping comparable to other roads in the area, and a centre dividing line should be applied throughout."

I would like to pay tribute to the president of the Pass Lake-Pearl Women's Institute, Mrs. Lesley Andersen, who circulated the petition.

## REPORT

### STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Cureatz from the standing general government committee presented the committee's report and moved its adoption:

Your committee begs to report the following bills with certain amendments:

Bill Pr18, An Act respecting the City of Ottawa;

Bill Pr28, An Act respecting the City of Sault Ste. Marie;

Bill Pr37, An Act respecting the City of North York.

Motion agreed to.

## MOTION

### COMMITTEE SITTING

Hon. Mr. Wells moved that the subcommittee on agenda and procedure of the standing committee on social development be authorized to meet concurrently with the House this afternoon.

Motion agreed to.

## INTRODUCTION OF BILL

### TORONTO AREA TRANSIT OPERATING AUTHORITY AMENDMENT ACT

Hon. Mr. Brunelle, on behalf of Hon. Mr. Snow, moved first reading of Bill 176, An Act to amend the Toronto Area Transit Operating Authority Act, 1974.

Motion agreed to.



## ANSWERS TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Wells:** Mr. Speaker, I wish to table the answers to questions 155, 170, 225, 237, 257, 267 to 268, 299, 335 to 339, 345 to 347, 350 and 357 on the Notice Paper. (See appendix, page 3902.)

## ORDERS OF THE DAY

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### FIREFIGHTERS MEMORIAL SUNDAY

**Mr. Haggerty** moved resolution 5:

That in the opinion of this House the government of Ontario should introduce legislation proclaiming the first Sunday in October, in each year, as Firefighters Memorial Sunday, in recognition of service to country and community, a special tribute to an extraordinary group of Ontarians, who have made a supreme sacrifice for the safety and well-being of their fellow Canadians and to provide the opportunity to inform Ontario citizens about their province's most dangerous profession and create awareness of Fire Prevention Week.

**Mr. Haggerty:** Mr. Speaker, the introduction of the resolution may be considered a timely event in the Legislature. Almost a year has elapsed since one of Ontario's major disasters occurred—the Mississauga train derailment of November 10, 1979, in which our firefighters played a major role in ensuring no fatalities took place.

Fire Chief Bentley reported that his men fought a courageous battle for more than 250 hours to contain the fire which resulted in 6,300 hours of overtime for the fire department. These valiant men worked in a high-risk environment during that time, not knowing how the compressed or chlorine gases would react.

3:50 p.m.

Very little public acknowledgement or recognition is given to such dedicated service, either to the professional or volunteer firefighter, yet during a recent Gallup poll firemen were ranked highest in their job performance among the eight occupational groups rated. Nationally, 75 per cent of adult Canadians rated their performance as very high or high. To meet that job rating, there is a criterion that must be met to become a firefighter: He must be an individual who has concern for the health and safety of all

citizens and is willing to risk his life in the line of duty.

Ontario provides excellent training facilities at the Ontario Fire College in Gravenhurst. Regional fire training schools are also conducted in several different locations in the province each year, using the firefighting apparatus and equipment of the office of the fire marshal. Students are invited from the fire departments in the county or district in which the school is held and receive 40 hours of instruction in which the course content is divided equally between the basic skills of firefighting and fire prevention through the in-service fire prevention inspections of all classes of property.

Firefighting problems in various types of buildings are outlined. Fire ground personnel hazards are described and methods of rescue and salvage are taught. Instructions are given in fire ground hydraulics, the use and care of breathing apparatus and practical operation of portable extinguishers. The role of the firefighters in fire prevention through a continuing program of inspection of properties for hazards is stressed in the second half of the school.

A variety of industrial, domestic and general fire hazards are explained, together with the danger of building materials under fire conditions. The common dangers of fire from misuse of electricity are outlined and the appropriate corrective measures are described. Crowd and panic control, means of egress and seating are discussed. Other subjects covered are public relations in the conduct of in-service fire prevention inspections and the writing of reports.

When a fire station responds to an alarm, the firefighter has no idea of the nature of the call, but you can be assured the working skill to control the fire is there, often at the risk of endangering himself or his fellow firefighter, because teamwork plays an important role in this area of work occupation.

The honourable members are well aware of the presence in every community of thousands of chemicals, many highly volatile and toxic in nature which could be fatal to anyone exposed to them for a few seconds.

Firefighters are trained in emergency first aid, and many of them now perform cardiopulmonary resuscitation. I am amazed at the degree of emergency treatment provided by the Toronto Fire Department. In many cases, they are at emergency scenes before the ambulance arrives.

They are also highly trained in rescue procedures. Many municipal fire departments

have special hydraulic equipment to remove injured persons trapped in automobile accidents. Many fire departments have special rescue equipment to aid in the search for persons missing on lakes and rivers.

Not only do we have more than 7,500 full-time firefighters in Ontario, but we also pay tribute to the many volunteer firefighters who provide an essential community service in protecting civilians and property at a minimal cost to taxpayers. The service they provide requires skilled training, interruptions of leisure time—they are on call 24 hours a day, seven days a week—and travel expenses. As far as I am aware, they obtain the glorious sum of a \$300 tax exemption from the federal government yearly.

Many firefighters are dedicated volunteers in many areas: raising funds towards research on children's diseases; sending children to summer camps—projects too numerous to list here. In my area, firefighters spend many of their leisure hours practising. They have a superb marching unit which is a credit to the community wherever they perform.

Many fire departments share in memorial day services in communities. I have noted that some fire departments have a memorial day service in a church in their community, and often people will ask, "What are they doing marching down the street?" They are entering the church for a memorial day service for their fallen comrades.

In my efforts to obtain information relating to firefighters' fatalities and injuries, I have encountered some difficulties. I contacted the Workmen's Compensation Board, and the Office of the Fire Marshal, but the information is not available at this time. I was successful in obtaining the information from Mr. Jack Newman, executive vice-president of the Ontario Professional Fire Fighters Association, relating to the Toronto Fire Department's honour roll.

From 1970 to 1979 there have been five captains and five firefighters who have lost their lives in the line of duty. These figures do not include the many firefighters who have had to retire on early disability relating to occupational diseases.

Mr. Newman also provided information on firefighters' statistics as reported to the International Association of Firefighters, including Canadian firefighters. The association's 1977 annual death and injury survey showed that "a total of 163 professional firefighters lost their lives in on-the-job accidents or from occupational diseases. Seventy-nine professional firefighters died in the line of duty last

year, which incidentally averaged out to 79 on-the-job deaths per 100,000 firefighters, constituting 11 per cent over 1976."

With the increase, firefighters unfortunately remain far ahead of all other occupations in terms of death rate, again making firefighting the most hazardous occupation in North America. Firefighters forced to leave their departments or retire because of occupational diseases totalled 828 in 1977. Of this number, 513 had heart disease and 91 suffered lung damage.

The vast majority of reported injuries, 40,610, were sustained at the fire scene. The rest, 14,952, came while responding to or returning from alarms, during training, at the fire station, or from other work-related causes. A total of 496 firefighters suffered on-the-job injuries serious enough to force them to seek retirement.

Of those injuries, 32 per cent were sprains and strains, 15 per cent were cuts, 11 per cent involved inhalation of toxic gases, nine per cent were burns, two per cent were from heat exhaustion, two per cent were from broken bones and 26 per cent were attributed to other causes. There was a large increase in the injury ratio, from 44.2 per cent per 100 in 1976 to 55.6 per cent per 100 in 1977.

Mr. Newman was good enough to present to me the Toronto Fire Department honour roll. It is dedicated to the gallant company who lost their lives in the performance of their duty. From 1851 to 1979 there have been 111 firefighters who have lost their lives in fighting fires in Toronto alone. The dedication, presented by the Royal Insurance Company, was published in appreciation of the public service and sacrifice by these dedicated men of Local 113 to the citizens of Toronto.

Citation for bravery: The late Firefighter First Class Michael Charles Fikis of the Thunder Bay Fire Department has been named Canadian Firefighter of the Year and winner of the Fireman's Fund Award for Outstanding Bravery, presented annually by the Fireman's Fund Insurance Company of Canada.

Firefighter Fikis's brave action, which cost him his life and won him the award, is described in a report from the Thunder Bay Fire Department:

"On March 5, 1979, there was a fire at the Great West Timber Company kiln. The alarm came in at 2:06 p.m. The owner of a chip storage bin had disobeyed orders from the firefighters to leave the bin. When he got into trouble and was overcome by fumes,



Firefighter Fikis took off his face mask to share his oxygen in order to revive him. Firefighter Fikis called for help and a colleague, Firefighter Gorrie, dashed into the kiln, even though he had no airpack.

"As both firefighters worked to save the man, firefighter Fikis collapsed, having been overcome by heavy smoke. He was rescued by other masked firefighters, oxygen was applied, he was taken to hospital where he was pronounced dead on arrival."

The Ontario Medal for Firefighter Bravery was also awarded posthumously to Firefighter Fikis by the Honourable Pauline McGibbon. Firefighter Gorrie, who almost lost his life in the attempt to rescue his fallen partner, also received the award.

4 p.m.

During the presentation of the award, the Premier (Mr. Davis) said, "The people of these communities, indeed the people of Ontario, owe a great deal of gratitude to these men and others like them, who consistently put their lives on the line for the protection of their fellow citizens.

"The men so honoured here today are not only the ones who have dared much for their fellow citizens. The rosters of the fire departments across the province are filled with similar valorous men. These firefighters, then, are the bravest of the brave, men who by attitude and example set the standard for all to follow."

Ontario may forget these men and the courageous deeds they have done but, as long as there are men alive, they will not forget each other; they know what courage is. Firefighters are a very close-knit family. They understand each other and what each one goes through in the performance of his duties.

I have seen these courageous men full of remorse when they are unable to save someone. It is especially difficult when the death has been that of a child. The dilemma of never knowing what each fire will bring, the thought that maybe they will not be able to rescue the next person, is indeed a heavy load to bear.

Twelve days from now is Remembrance Day. Municipalities across Ontario and concerned citizens will gather around veterans' memorial monuments to pay special tribute to Canada's war veterans and those who have paid the supreme sacrifice so that we Canadians can remain and live in a free society, enjoying a higher standard of living than that of many other countries.

Back in the early 1940s there was a group of firefighters from the Port Colborne Fire

Department. I believe about 20 members of the 25 members of that company volunteered to enter war service in Great Britain. There were a number of other men from other companies throughout Ontario and Canada, known as Canadian Firefighters' Forces. They went over to serve in England. They accepted that challenge and were at the Battle of Britain. The firefighters did not have too much equipment, but their task was to put out all fires before they could be seen from the sky so that no more of Hitler's aircraft could bomb London, Plymouth, Portsmouth and Brighton. They did a good job there.

They had some struggles over the years to be included in the Canadian Armed Forces, but fortunately the Canadian government saw it proper to include them as part of the Canadian Armed Forces. I bring this to the attention of the House to show the courageous deeds this group of special Ontario citizens do provide to the country and communities.

There is only a small gathering of citizens who attend Remembrance Day services now. You can always count upon the Royal Canadian Legion unit, as well as other veterans, to be there; but also you can always pick out a large number of men dressed in blue. This is a firefighters' marching unit that will stand and parade that day in respect to the fallen heroes.

I have seen other courageous deeds of firemen. I think of the blizzard in 1977 that struck the Niagara South region. It tied up the community for four days; there was no communication with outside areas and there was a lack of food. The first line of defence in that emergency was the fire departments in those communities. They responded to their utmost and they did a great job in providing services and giving medical services to persons who required them during that blizzard. It was a tough blizzard because people could not move equipment for four days. But the firefighters, with their rescue expertise, were there as a group we could depend upon. Every community has a group of men who can be called upon to accept any challenge in any rescue or emergency.

I have great respect for the firefighters in Ontario. At one time I, my six brothers and my two brothers-in-law served in the volunteer fire department in the city of Port Colborne. It is good experience for any young person to get involved in a volunteer fire department. The education gained is fantastic.

I would like to see one day in October of each year set aside in memory of the firefighters of the province who lost their lives in the line of duty. It would cost the government nothing to set this one day aside in memory of our fallen firefighters. I hope the other members will concur in the resolution.

**Mr. Breaugh:** Mr. Speaker, I want to join my other colleagues in supporting this resolution. I think it is a useful activity for the members of this House to express an opinion on something like this. As I heard the previous speaker say, this really is not going to cost people money. But that is not the purpose of the exercise. The purpose is to recognize in one other form what we already recognize in a number of ways. That is, there are firefighters providing service to a community in a way that differs a great deal from one community to the next, but the common element is that a firefighter's service is always dangerous. There is no such thing as a safe fire. There is an element of danger and risk in that profession which ought to be recognized by the remainder of society.

I would be hard-pressed to come up with an argument against a resolution of this kind. It is simple recognition, but recognition of something that is incredibly important. We do not do enough of this in our society, in my opinion. There ought to be more occasions for people to do more than we now do for those who involve themselves in high-risk occupations in public service positions such as firefighters.

We have a variety of recognition factors, all the way from medals to our Criminal Injuries Compensation Board for police services involved, but a lot of these appear to be almost incoherent programs set up to recognize these things. In my view we ought to have this recognition, because I believe it is an important, sensible and rational thing to do. More than that, we ought to do so in a coherent pattern.

I have a number of constituents who are either firefighters themselves, or someone in their family is engaged in that high-risk occupation. They have pointed out to me a number of very sensible things that could be done for firefighters and their families but they have not happened, for whatever reason. In part it may be that a number of our communities are served by volunteer fire departments so that people who are normally engaged in other occupations for part of

their time make themselves available in this high-risk occupation.

In the place where I was born there is still a volunteer fire department in operation. I believe they have one person on staff and the remainder are volunteers from the community. In the community adjacent to my Oshawa riding there is a firefighter organization that is almost exclusively voluntary in nature. It is quite unusual to see a community as urbanized as the town of Whitby still functioning in large measure with a volunteer fire department.

I am in favour of recognizing the valuable work these people do and the high risks they take to provide the public with service that is indeed necessary. This resolution does that but, if anything, I would like to extrapolate this motion into something else. There are several areas of concern that I want to get on the record this afternoon. I think it is important not only to support this resolution but also to bear in mind that there are other concerns which firefighters and their families face each day.

4:10 p.m.

A simple thing was brought to my attention last year. Firefighters in their own sets of negotiations were trying to do something in the form of their own recognition for people who used to be firefighters. They wanted to have them covered by the benefits that accrue to them under their own contract. Although this had been done in one or two municipalities, it was brought into question by the municipality of Oshawa as to whether the Municipal Act allowed the city, which wanted to do it, actually to proceed and bring these retired firefighters into coverage under the collective agreement for things like drug plans, dental plans, and whatever the range of benefits.

I brought this to the attention of the Minister of Intergovernmental Affairs (Mr. Wells). He agreed that both parties in this instance—in fact, everybody who was involved in it—wanted to do it, but the law itself was not clear as to whether that could actually happen. He told me at that time that during this fall session, when they bring in one of the usual omnibus bills from the Minister of Intergovernmental Affairs, they will see that firefighters can be covered under an existing contract even if they are retirees. That points out the same concern that I expressed earlier.

There seems to be a number of areas where, perhaps because of oversight or perhaps because people simply have not



thought about these little details, firefighters in a high-risk occupation have not got all their needs met by a long shot. That is one other area where I think a resolution of this nature might serve the purpose, even if the resolution in its present form only serves to provide recognition of the firefighters and the work they do.

If we had a higher level of recognition for that, then we might be more willing to amend rather mundane pieces of legislation to provide firefighters who are retired with the kinds of benefits that active firefighters now have. It is my hope that the Minister of Intergovernmental Affairs will introduce that legislation this fall and that little fine point in the law will be altered so that we can serve again in another way to recognize the needs of firefighters even if they are retired.

There are a number of complicated pieces of legislation at work governing the life of a firefighter. Not very many of those pieces recognize the high risk, but many of them in kind of a backward way recognize the need. We are now in the process of trying to sort out the legislative tools to provide for decent recognition for firefighters.

I believe it is important that one day a year be set aside to recognize this but, more important for me anyway, we should not forget on the other 364 days that there are other needs. I believe that the declaration of an official day for firefighters is a worthwhile activity for this House to pursue and for people to carry on afterwards, but not if that is the end of it. In other words, I am one of those people who believe that it does not do people much good to have a lot of recognition in the form of a parade or a day named in their honour if for the other 364 days a year the society in which they live forgets about them.

I support the resolution that is before the House now, because I think it is a worthwhile endeavour. Recognition is always something that is worth while. I would be hard pressed to find a group that is more deserving of that recognition than firefighters. I want to ask that other members in the House take into consideration that there are other real needs of firefighters in particular that have to be met and, if this resolution carries, as I would anticipate it would this afternoon, that this one day which will be set up should not be the end of it. It should be a beginning of a society that recognizes and pays its dues to people who take the risks to see that the rest of us can live in relative safety.

**Mr. Belanger:** Mr. Speaker, I am happy to say a few words this afternoon in support of this resolution by the member for Erie (Mr. Haggerty). I have learned over the years that there are two sides to most of the issues we discuss in this Legislature and good arguments are usually made both pro and con. I trust we have the wisdom in a world that is neither black nor white to come out with the correct shade of grey. The resolution we are debating today, to establish a Firefighters Memorial Sunday, is by contrast a refreshing departure from this general rule. I, for one, can only think of good things to say about this resolution, and, therefore, I am only too pleased to support it.

Most of us do not have to face death or injury in our jobs. Very few of us have to show extreme courage and bravery every day. Yet, as we all know, valour in the face of peril is the daily reality for our firefighters. These men consistently put their lives on the line for the protection of their fellow citizens, and sometimes this hazardous but vital duty tragically claims the lives of firefighters. It goes without saying that since they gave their lives for all of us, the very least we can do for these men and their families is to honour their memories.

Take the example the member for Erie mentioned a while ago, the selfless heroism of Firefighter Michael Fikis of the Thunder Bay Fire Department at a fire in the chip silo in March 1979. Fireman Fikis entered the silo to search for its owner, Mr. Bendick, who had been overcome by fumes and smoke. He found Mr. Bendick and, in an attempt to retrieve him, gave him his own face mask, knowing full well how lethal the fumes were—so lethal, in fact, that firefighter Fikis was himself overcome, dying shortly thereafter. In recognition of this courageous self-sacrifice, he was posthumously awarded the Ontario Medal for Firefighters Bravery, which was presented to his family.

Equal heroism was shown by Firefighter Ron Gorrie at the same Thunder Bay silo fire last year. Firefighter Gorrie heard faint cries for help coming from within the silo. He went in to attempt a rescue without a face mask, because he feared he would be wasting precious seconds if he searched for one. In the chaotic gloom of that fatal silo, he managed to find Firefighter Fikis and Mr. Bendick, both unconscious. Firefighter Gorrie tried to revive both of them, but the fumes were just too thick and he was close to collapsing himself. Fortunately, he managed to reach a ladder and was pulled to

safety by other firefighters. He was taken to hospital and treated for smoke inhalation. He fully recovered and received his Ontario Medal for Firefighters Bravery from Her Honour the Lieutenant Governor.

These two courageous firefighters were honoured by the province last year. Two others received medals from the Lieutenant Governor last Monday. But how can we show our respect and gratitude to all the other firefighters in Ontario? How, for example, can we give thanks to an entire fire department? I am thinking in this case of the tremendous skill and resourcefulness shown by the Mississauga Fire Department during the great train derailment and evacuation last November. The 24 cars that went off the track, exploded and burned contained deadly gases. In fact, it was leaking chlorine gas that caused the evacuation of nearly a quarter of a million residents. Yet, in the face of disaster and confusion, the Mississauga Fire Department never faltered. Despite the huge potential for disaster, the vast evacuation was executed without a single mishap.

What can we, as a community, do to show our appreciation of this gallantry and efficiency? I suggest this resolution fits the bill quite nicely. An annual Firefighters Memorial Sunday will help keep the memory of these brave men alive. In addition to paying tribute to the valour of our firefighters, the memorial Sunday would also serve to recognize their professionalism in more mundane but equally necessary tasks, such as training and fire prevention. While bravery will always be an essential credential in this high-risk occupation, today's firefighter must also be a well trained technologist in his chosen field.

4:20 p.m.

We in Ontario are fortunate in being served by some of the best-trained fire departments in Canada. At least part of the credit for this must go to the Ontario Fire College, which is operated through the Office of the Fire Marshal. Established in 1958, the Ontario Fire College was the first residential fire college to be built in Canada. Today, it is considered to be one of the most advanced fire colleges on the continent. Most students come to the college from municipal fire departments in Ontario, but students also come from other provinces and from as far away as Ghana and Sweden. The college gives advanced training and experience in fighting fires, in fire prevention and fire department management. True-to-life

situations are simulated and the most modern firefighting techniques demonstrated and practised.

The professionalism of our firefighters also shows in their approach to fire prevention as well. Firefighters believe that their work in this area is just as vital as the job of actually putting out fires. The good advice of firefighters is always available to anyone concerned about a potential fire hazard, and it goes without saying that this advice has prevented countless potential fires from actually occurring.

In this regard, I am pleased to note that this resolution discusses the need to create awareness of Fire Prevention Week. I would like to add at this point that, in my opinion, one of the most valuable contributions of firefighters from right across Ontario was their input into the new Ontario fire code. In the long run these suggestions will also save lives by minimizing fire hazards.

Other groups and institutions have gone out of their way to honour firefighters and, as a member representing an eastern Ontario riding, I am proud to say that at the urging of the Smiths Falls club, Civitan's Canadian District East has agreed to recognize firefighters during International Firefighters' Week. The Canadian contingent has persuaded Civitan International to unanimously agree to an annual Firefighters' Week.

In my opinion, the resolution before us today gives all of us the opportunity as citizens of this great province to express the gratitude we all feel. I speak for the vast majority of Ontarians when I say I am proud of the Ontario fire service. I thank God that we in this province are blessed with firefighters second to none in courage and professionalism. They richly deserve all the honour they get.

**Mr. Foulds:** On a point of privilege, Mr. Speaker: It is a rare privilege to hear the member for Prescott and Russell (Mr. Belanger) speak in the House. I made some fun of him at one time, and I would like to retract those remarks I made in my maiden speech and compliment him on his presentation.

**Mr. Eakins:** Mr. Speaker, I feel very privileged today to be able to take part in the discussion of ballot item 29, the resolution regarding the Firefighters Memorial Sunday as sponsored by my colleague the member for Erie (Mr. Haggerty). This is not something that has just recently been thought about and commented on by my colleague. Since my election to the Legislature, I have



known it is something about which the member has been very concerned, and he has brought it up on a number of occasions. I think the honourable members will know that this has appeared as a resolution on the Order Paper for a long time; so I am delighted that he has this opportunity to bring it forward for all members of the Legislature to be able to comment on it.

I think the people in our fire service belong to a profession that for too long has had too low a profile, and the work that our volunteer and full-time firemen do is not always completely understood by the public unless there is a serious fire and there is some reason for them to give consideration to this. There are a number of points that might be brought out today during this discussion.

My first involvement with the fire department in the town of Lindsay was when I served as the mayor of that community. I had the opportunity to watch the progress of this department and to know that it was considered to be one of the best fire departments in many respects throughout Ontario. We had many good comments from people from far afield.

Recently, I had the opportunity of presenting firemen's plaques to some 35 firemen who have served in the volunteer and full-time field for more than 20 years throughout the counties of Victoria and Haliburton. In presenting these plaques, I was very interested to note a number of things about our fire service that are not always understood. I found in a number of the various volunteer departments that this is not something some of the people in the community do for a year or two and then decide they want to get out of.

The people who serve in the volunteer service are very faithful, and I was interested to notice in the Fenelon Falls volunteer department, when I presented plaques to six or seven of their members, every one of them had served for more than 30 years and one member had served for 40 years. I found this to be the case in almost all the departments. I think today there is a great spirit and, as my colleague has stated, the volunteer firemen are a very close-knit family.

In visiting the various departments, I was also impressed by the fact that many of our young people are now joining as volunteer firemen and are going to serve just as faithfully in the years ahead. It is very important that the young people become involved in this fire service.

Something unique happened to me in the municipality of Dysart in Haliburton. I was impressed to find that the volunteer firemen meet there every Monday evening and once a month they have a social. The spirit there was something I have to comment on, because they give so much time from their schedule and away from their families to update their experience and to be able to serve their communities.

I also want to bring to the attention of the members something that I think is worthy of note. It happened at the Dorset fire department in the northern part of Haliburton county. I am delighted the Minister of Natural Resources (Mr. Auld) is in the House, because he knows the Dorset area very well.

Anyone who is familiar with that area knows that the main street of this community is the dividing line between Muskoka and the county of Haliburton. In the town of Dorset they have an excellent volunteer fire department and, when two counties are separated by a main street, the fire service has to go on and boundaries cannot interfere.

The firemen of Dorset decided they needed a new firehall; so they proceeded to look into a feasibility study on how much it was going to cost. They came up with a figure of \$21,000. To get it moving, the municipality of Lake of Bays in Muskoka gave \$7,000, the township of Sherborne, McClintock and Livingstone in Haliburton also gave \$7,000, and there remained \$7,000 that was needed to complete the firehall.

4:30 p.m.

I want to point out the firemen themselves got together and by various means raised the \$7,000 to put up this building. They did not go out and hire a contractor but contracted it themselves. Today we see a very appropriate building for the firemen in Haliburton. They took the trees off the lot and had them dressed. The lumber is now being used inside the firehall.

I point this out because in many communities today they would say: "You put up the building and we will do the job. We will serve." But not the firemen in the municipality of Dorset. They themselves provided the labour and put up one third of the money. This is a great saving to our taxpayers and is something that should be pointed out.

Our firemen do deserve this special debate that has taken place here today. I hope

all members will support this resolution. They have a very dangerous job, as my colleague has pointed out. I want to comment again on the dangers of this job. I was reading the 1978 annual death and injury survey which was published in the November 1979 issue of International Firefighters which reports 67.4 deaths per 100,000 employees affiliated with the International Association of Firefighters. It states that things are getting better, since the average for the decade was almost 16 points higher at 83 deaths per 100,000. The same survey reports that every firefighter faces a 42.5 per cent likelihood of injury at least once during the year.

I feel it is appropriate that we should debate this resolution, and I ask all members to join in supporting it.

Mr. Swart: Mr. Speaker, it is not always and perhaps not often that I find myself in complete agreement with the member for Erie, but I want to say that on this resolution I do. He is right when he says firefighting is the most dangerous occupation in our society. He endeavoured to get some figures, and so did I. I perhaps was successful in one area in which he was not. In Ontario in the last three years there have been 18 firefighters who have lost their lives fighting fires. Those are only the paid firefighters; we do not have any record of the volunteers who may have lost their lives.

Certainly, the loss of life is serious and the hazard of the occupation is internationally recognized. The loss of life in firefighting is even greater, which would surprise many people, than in the police force, which is considered a very hazardous occupation. It is becoming more dangerous for a variety of reasons. The member for Erie mentioned new chemicals and that sort of thing, the numbers of new high-rises and the type of construction.

I am somewhat conscious of the contribution that firefighters make to communities and to society generally as a person who was in municipal life for 21 years. I think I am right in saying that all those who have spoken on this so far are people who have been involved in municipal life and therefore recognize the contribution. For that matter, most of the people who have been in the House have been people who have been in municipal life.

In Thorold, in the years I was on the council or head of the municipality we had four volunteer fire companies. Now that I represent Welland as well as Thorold in this

Legislature, there are a total of eight volunteer fire companies in the area I represent. I think it is probably true to say that in that constituency we have the best fire protection and firefighting coverage, or as good as any place in the province, partly because of the strategic location of the firehalls, partly because of the training, partly because of the leaders and partly because of the numbers.

In Thorold, in the four companies we have eight paid firefighters and 129 volunteers. They are headed by Chief Don Henderson and Deputy Chief Larry Jane. They have district chiefs at each of the four companies. There is David Hale, who is the district chief in number one; Dick Burke in number two; Bert Bradnam in number three and Pete Bronn in number four.

In Welland, there are 52 full-time firefighters and 123 volunteers. They are headed up by Chief Roland Bouchard and Deputy Chief Michael Blazetich. They do not have district chiefs there. Those who have the responsibilities of volunteer fire companies are called captains: Bob Beres in number one; John Kuruziak in number two; Dick Fox in number three and Jim Coulis in number four.

I want to confirm the quality of the firefighting and of those leaders. I have been closely associated with them and I am an honorary member of two of the volunteer companies. The quality there is high, but the quality of fire protection is generally high throughout the province.

I never cease to be amazed by so many people in ordinary life, who have no background in firefighting at all, but who become expert in fighting fires and giving protection. That is true whether they are paid firemen or volunteers, I know, in my area, even the volunteers frequently take their holidays to attend fire school. They make that kind of sacrifice to become more knowledgeable about the occupation they have chosen even if only on a voluntary basis.

But the motivation to raise their service to a high level is, most of all, the protection of their homes, their neighbours' homes and their families. It causes them to get up at any time of the night; to leave their places of business if they operate a small business, as many of them do; to destroy their best clothes; and sometimes to risk their lives. I say their service is an application of the principle of brotherhood which is not exceeded by many other sectors of our community.

We have 16,606 volunteers in this province, I am told, and that is just about double the



number of paid firefighters. They are providing that service without any remuneration whatsoever.

As previously mentioned, in addition to their firefighting and fire protection efforts, they have raised fire prevention tremendously. They have brought enough pressure to bear to get municipalities to get good firefighting equipment. They have brought about inspection in municipalities to locate fire hazards and see they are removed. They have brought about new legislation. Fire detectors now have to be installed in new homes, largely because of the action of the firefighters and their recognition of the danger without them, which they brought to the attention of the government. They have raised the consciousness of the public generally by a variety of means, including open houses. Throughout the whole province, it is a very commendable record.

The concern about fire protection and the resultant formation of fire companies has been a level that has frequently formed new communities and new community organizations. I understand something like 80 per cent of the isolated communities assistance fund, which is set up by this government, has gone to fire companies, showing they are the main organizations in those isolated communities, most of them being in the north.

There is no legislation—and I did not know this until today—requiring fire companies in any place in this province or requiring fire protection in any municipality, but it is still the top municipal and area service. In almost all areas—not all—they have developed, without compulsion, a reciprocity so they go to the aid of one another.

4:40 p.m.

They are the dominant organization in many communities, and almost all their service far exceeds just firefighting and fire protection. Some of those services have been mentioned. They have become—and rightly so—the emergency measures organization in most of the municipalities and communities throughout this province. They assist in floods, winds, tornadoes and blizzards. Even individuals who have heart attacks call the fire company first, or at least right after the doctor.

But it goes further than just these emergency matters. They are a general community service organization. They have raised great amounts of money for muscular dystrophy. For instance, in Welland they raised something like \$25,000 in three years for mus-

cular dystrophy; that is a service above and beyond the call of duty. They are involved in minor sports. In St. Catharines, a fire company repairs toys and distributes them at Christmas time.

Tomorrow night, I will be attending a Halloween party, which is sponsored by the Thorold South Fire Company for the children and has the result of lessening the damage that the children sometimes do on Halloween.

So today I commend all the firefighters for their services to the community but, most of all, for their fire services for which they take risks and in which there is a high loss of life. I am going to support this motion which we have before us, and I commend the member for Erie for submitting it to this House.

**Mr. Cureatz:** Mr. Speaker, might I say how pleased I am to participate, although very briefly, in this debate this afternoon. I think the resolution, as proposed by the member for Erie, is very worthwhile and complimentary, not only in regard to this proposition but also in terms of the recognition the resolution gives.

The member for Fort Erie and I have had the opportunity of sitting together on the select committee on Hydro affairs for the last year and a half to two years and, although we disagreed from time to time, I have always enjoyed his comments. So it gives me pleasure to respond to his resolution.

It is my belief that the firefighters of Ontario deserve greater recognition for the important role they play in our communities. I think the Firefighters Memorial Sunday will go a long way towards increasing the public awareness of the valuable and heroic work of our province's firefighters.

When the first settlers moved into our wonderful province they quickly organized services that these new communities would need to survive. Community leaders ensured that their neighbourhood could be served by the blacksmith, teacher, ministers and doctors and, yes, lawyers. As well, the first major co-operative community organization formed in our pioneer communities was the volunteer firefighting team. In some cases, even before a police force was established, firefighters were organized to protect the new settlements. Our ancestors knew that uncontrolled fire was one of the most devastating enemies to human activity. Without fire precaution, fire can strike anywhere,

reducing the results of years of effort to ashes within a matter of seconds.

Like the pioneer firefighters of Ontario today, firefighters are just as active in protecting the wealth and effort of individuals and communities from destruction by fire. In addition to this great responsibility, firefighters also provide a general rescue service, which in some communities includes paramedics.

Firefighters, like pioneers, explorers, the builders, engineers and the businessmen have helped build up this province by protecting our cities, homes, libraries and industries from destruction. In my own community, the village of Newcastle, the first person who comes to mind in the volunteer fire department is Frank Hoar and the long-term dedication that other residents have had in Newcastle.

I think of the volunteer fire department in the village of Orono, and Herb and Jerry Duval and their associates from Orono Electric and the kind of long-term dedication, free volunteer help and time they have given to the promotion of this very worthwhile activity.

I can also think of the new Courtice area volunteer fire department and some of the wonderful people I met there through Mayor Garnett Rickard, Councillor Ann Cowman and Councillor Jasper Holiday. It goes without saying that we cannot ignore the Bowmanville Fire Department and the firemen in the city of Oshawa.

Over the past 10 years, awards have been created to honour the firefighters of our province. In 1971, a long-service medal was created. This award was granted to Ontarians who had served as firefighters for 20 years, including those who participated in firefighter services in the Canadian Armed Forces.

Five years later, an advisory council was established to award the Ontario Medal for Firefighters Bravery. The purpose of this medal is to recognize the heroism of individual firefighters, as well as to emphasize and encourage the virtue of bravery among fire departments. This award is open to both volunteer and professional firefighters. It was created by an order in council of the Ontario cabinet as a tribute to the firefighters of the province. The goal of the award is to bring public attention to the often hazardous nature of firefighting and to gain further public support for the firefighters serving in their neighbourhoods.

This year the Ontario medal for firefighter bravery was awarded to Ottawa firefighter

David Joyce and Chief Harry Yost for the Milverton-Mornington-Ellice fire area. Both men executed acts of bravery while pursuing the normal course of duty. Obviously both men deserved the recognition awarded them by presentation of the Ontario Medal for Firefighters Bravery.

However, I believe the province can do more. I believe we should not only recognize individual acts of heroism but also show public appreciation for the work of volunteer firefighters, and this resolution proposing a Firefighters Memorial Sunday will help us meet that goal.

I conclude by saying it is my hope the House will give full, unanimous support for this resolution.

**Mr. Haggerty:** Mr. Speaker, I did not want to take too much time, but I want to thank all members for their interest and support for the resolution I put forward today. I concur with their views and expressions.

The next question is, what day will it be proclaimed? I will leave that with the government, but I do appreciate the opportunity to introduce the resolution this afternoon.

**The Acting Speaker (Mr. MacBeth):** That completes the debate on ballot item 29.

## JOB SECURITY ACT

Mr. M. Davidson moved second reading of Bill 156, An Act respecting the Security of Employment in Ontario.

**Mr. M. Davidson:** Mr. Speaker, today we are debating the second of three acts which my party is putting forward to establish the economic rights of the people of Ontario. Last week the government voted against full employment by blocking another bill submitted by one of my colleagues and showed it would do nothing further to provide jobs for every person able and willing to work.

In two weeks time we will be challenging the government and the Liberal Party to vote with us for the most comprehensive women's package ever presented in this Legislature, but today we are talking about job protection and job security for the working people in Ontario.

We welcome the announcement from the Minister of Labour (Mr. Elgie) that the government will be taking some action in terms of protecting workers affected by plant closures and layoffs. However, I have to say this action came too late, it was too limited and it was a response to the pressure of the



New Democratic Party, rather than a recognition on the part of the government of the drastic need to protect the working people of the province.

We welcome the support of the Liberal Party for the measures which my leader outlined during September and which its leader then parroted in his autumn program during his press conference on the eve of the return of the Legislature in October.

If the House adopts this bill today and sends it to committee, we have a good chance of having comprehensive worker protection legislation within the province before Christmas. That would be the greatest achievement of this Legislature in the last five years.

Ontario has become great because of the efforts of the men and women who work in the plants, factories, offices, mines and other productive facilities in the province. It is their efforts that have given us opportunities to be a great society. However, the economic rights of working people are much less recognized than the economic rights of investors and owners.

Last week the Conservatives were opposed to a bill that said every person has a right to a job. Today the New Democratic Party is saying when one has a job he has the right to have that job protected. Workers have a right to have their jobs protected and workers should know that their livelihood will not be taken away because of a decision made in someone's boardroom.

4:50 p.m.

This government tolerates corporate behaviour which allows workers to be shoved around like pawns. Plants can be closed down for any reason. There is no adequate way for workers to be compensated for the loss of their jobs.

The Conservatives have no effective procedures to investigate ways to keep plants open and operating in Ontario. For example, the operators of the Armstrong Cork carpet plant in Lindsay, which we heard about today, simply announce they think they can make a greater profit elsewhere. As a result, approximately 300 people are being legally laid off. Armstrong took care of the workers by providing severance pay and other forms of protection, more so than it was required to by law. What Armstrong did not do was to protect the jobs of the workers. What the government did not do was to force Armstrong to justify its corporate decision in terms of the impact on the workers and the community where the plant was located.

This problem exists not just in towns like Lindsay, or in my own riding of Cambridge, but it is found throughout the province. Forty-nine per cent of the 296,000 unemployed people of Ontario are unemployed because they have lost their jobs. Most lost their jobs as a result of layoffs, plant closures and relocations. Five years ago only 38 per cent of the unemployed in the province were unemployed because they had lost jobs.

Surely the Minister of Labour has seen this problem coming and surely it is time for an answer. I am tired of this government saying if we do anything to protect workers we will lose jobs because no one will invest in Ontario any more. Government ministers never seem to tire of repeating that line in this House and across this province. That line they use is simply not true.

The government itself does not believe its own line. We have seen the glossy brochures like The Profit Centre. We have seen the \$30 modular promotion kit seeking more foreign investments for Ontario. When they are sent out, the points are made very clear: Ontario has a secure supply of energy; Ontario has a highly trained work force; Ontario has much lower taxes than all of our American competitors, such as New York, Texas, Michigan and Illinois. All of this is contained in the kit that is sent out. In the minds of this government, all of these natural advantages are not enough to induce investment in this province.

On top of that, the Conservatives want to advertise that Ontario has a work force that is ready for exploitation. We have a province where too few of our workers are unionized. We have a province where we have the second lowest minimum wage in Canada. Moreover, we have a province where people can come and invest and the moment they want to take their money and run they can. This province has no protection for the jobs of the workers. There are lots of controls on labour, but there are virtually no controls on capital investments.

We are proposing as one of the proponents of this bill, a job protection board. When employers are giving layoff notices to their workers, they will also find it necessary to notify the board. If the board believes the layoff is of major significance, an investigation will be undertaken. The investigation will take place in the community or communities where layoffs are going to occur. In this way the board can receive input from the affected workers, the owners, the union and the management.

The job of the board will be to determine whether the layoff or plant closing is justifiable on economic grounds. The board will make a report 90 days before the layoff is about to occur. If the layoff is justifiable and unavoidable, then the board will recommend what action can be taken to protect the jobs of the workers. It may well be that we will have to establish committees to provide for the workers over that transition period.

Look at the problems that face the workers of Windsor right now. This government has failed to provide temporary assistance while the automobile industry is restructuring. Other things can be done, perhaps worker retraining or perhaps an effort to find an alternative use for the plant to produce another product that can use the skills of the workers and the resources of the community. If, on the other hand, the layoff cannot be justified on economic grounds, the board will make recommendations as to how that plant can and will be kept open.

Many layoffs in Ontario cannot be justified on economic grounds. The Social Planning Council of Metropolitan Toronto found that it was not the plant's lack of profitability that caused many layoffs; it was simply bad management. Management created conditions that threatened the profitability of an enterprise unless certain steps were taken to reduce costs. From the employer's point of view, according to the social planning council, labour is a cost reduction that can be cut back much like any other cost. There are a few constraints upon a management group wanting to cut back its costs by laying off workers.

To give one example this Legislature is perfectly familiar with, we can look at the Firestone plant in Whitby. The Firestone plant was modernized within the last five years. It was producing efficiently and the company was selling its tires to the Canadian market. The parent American company decided it wanted to cut costs and decided to do so by closing its Canadian plant. At the same time, Firestone kept open older and less efficient plants in the United States. Canadians continue to import many more tires than they produce, nevertheless. The workers at the Whitby plant are still without jobs. The government of Ontario has done nothing to protect the workers in the tire industry.

The point of the Firestone example is that, even when this Legislature found out about the heartless actions of the Firestone company, it had no power to change the situation. Workers can be thrown out of work in Ontario and the government will stand

idly by—in the case of Firestone, with the strong support of the Liberal Party.

Our bill suggests some specific remedies to protect jobs, but it is not limited to them. The government could force the owner to make his plant available for sale. This would allow the workers to buy the plant with aid from the government. It would allow another investor to buy the plant to keep it operating, and it might even allow the government to invest in a profitable plant and create new job opportunities in Ontario through public investment, something this government fails to consider.

The bill would also prevent owners from taking their machinery and equipment and exporting it out of the country or selling it to their competitors and thereby foreclosing on all hopes of re-establishing the industry in Canada. If we cannot keep the operation going without the involvement of the owner of the plant, we could at least make it more difficult for owners to withdraw their money and leave it to the workers and the government to bear all of the costs.

The job protection board could recommend such things as forcing the employer to continue to pay salaries of the employees through extended periods of time. Surely, if a plant closure is not justified, the employer should be compelled to lessen the impact on his work force. The workers are the people who make the plant's profits possible, and it is our view they must also get their share.

Another important feature of this bill is the establishment of the community adjustment fund. There are about 14 single-industry towns in Ontario. There are other towns where only two or three employers provide the major share of employment. The communities simply cannot face the shock of layoff and closure without some form of assistance.

Our bill calls for a community adjustment fund to be financed primarily by the employers. This fund will be used, when necessary, to create new opportunities, and sometimes major new investment will be necessary to offset the impact of a layoff. It is only fair that the people who have come and used the workers and the resources of the community should be asked to pay their fair share towards the rebuilding of the community's economic life.

To give one example, there are many mining communities in the north. In these communities, workers spend their whole lives working for one employer. They suffer the ups and downs of the industry. They have



long layoffs and eventually for various reasons—not always because the ore has run out—the owners close the mines. People who have mined all of their lives have great difficulty finding new employment. People who have lived all their lives in one community and have invested their life savings in that community have great difficulty relocating. It is time through the actions of this government we had a fund making new opportunities available to the communities and the people within those communities.

5 p.m.

Today in Tory Ontario it is fine to come and use the work force, exploit the natural resources and then move elsewhere, leaving behind worn-out workers. These workers usually have no choice but to apply for public assistance. This has got to stop. We must have a means of providing new opportunities and new jobs for these people. This can best be done through a community adjustment fund so that costs of such readjustment are where they belong.

The bill establishes these new innovations of the job protection board and the community adjustment fund and moves forward to other things to strengthen the rights of workers. This is particularly important to workers who are affected by short-term layoffs of a repetitive nature.

The bill provides for better notice provisions. This allows people to make plans for their futures and to take other opportunities when available. We also provide legislated severance pay. The Minister of Labour says the government does not object to legislated severance pay. I hope today that government spokesmen will say they are in favour of legislated severance pay. I doubt it, but I would like to hear them say that.

The bill also provides for protection to workers when their company decides to move to another town in Ontario. If this becomes necessary, the workers who lose their jobs in one part of Ontario will have the first opportunity at the new jobs in the other part of Ontario.

Again, we believe our bill provides the minimum that can be done immediately on pensions. It allows for pension portability and establishes a five-year vesting period. Throughout the province, workers with long years of service are still in risk of losing their pensions as a result of layoffs. By accepting our bill, we would be protecting these workers. Much more needs to be done about pensions. We have waited so long for

the royal commission to report that it is probably worth waiting a little bit longer. Nevertheless, we can take the initial steps and start the mechanism in motion for providing the type of pension protection the workers of Ontario need.

It is obvious that in today's society the kinds of protections offered through Bill 156, as put forward by the Ontario New Democratic Party, are essential to maintain the rights of workers within the province. I sincerely hope that those who will be following me will support this bill and that we can go ahead and give working people in this province the kind of protections they not only need today but also should have had in this province for quite some time.

**The Deputy Speaker:** The member has four minutes remaining. Does he wish to reserve the time?

**Mr. M. Davidson:** Yes.

**Mr. G. E. Smith:** Mr. Speaker, I appreciate having the opportunity this afternoon to speak on a subject that has been given and will continue to be given much attention by the members of this House.

I would like to say at this point, after listening to the member, that in my opinion the NDP does not have a monopoly on working for the rights of the labouring force in this province. Other parties in this House—and I am speaking for my own party—certainly consider this challenge seriously and do everything they can to be of assistance.

The issues raised in this bill are of great concern to all members. With the time allotted to me today, I hope to address many of them and point out how, in my mind, this bill does not resolve the problems as they exist today.

One can speak confidently in 1980 of the strong position that Ontario holds in the current business environment. Ontario, a province rich in natural and human resources, now enjoys an excellent competitive advantage in the international market. The government of Ontario has to a large measure a responsibility to the citizens of this province to maintain this competitive stance. Ontario must now, as always, compete with our neighbouring jurisdictions in both Canada and the United States for business investments. Business investment in this province means jobs for its citizens. Therefore, encouraging investment in Ontario by maintaining an attractive business environment and economic climate is a high priority with this government. Indeed, it is one that affects

the day-to-day living and the quality of life of the people of this province.

Coupled with this formidable responsibility is the task of providing proper and effective protection for employees in Ontario's economy of the 1980s. Policy development by this government must take into account these two interrelated objectives. It must establish workable proposals which may be applied to the particular economic context and the traditions of the province. The government approach in this area must be a balanced one, one that links Ontario business and commercial objectives with responsible measures affecting employment standards and labour concerns in this province. A balanced and responsible approach relevant to the North American experience is vital in these areas.

I find it unfortunate that much of what is contained in the bill before us today undermines Ontario's competitive position. The necessary balance of which I spoke is not to be found in the provisions of Bill 156. Moreover, although the proposals raise questions and issues of great significance, some of the outlined solutions fail to address certain important details and possible consequences of legislation of this kind. I find it difficult to ignore the inherent problems of the proposals before us today and I would like to comment on them.

The measures regarding public justification of layoffs and plant closures would place this province at a severe competitive disadvantage since no comparable jurisdiction has enacted any legislation of this kind. This is not the first time the third party has put forth proposals which have no parallel in North American experience. However, what I do find surprising is that in some respects these measures are even far more sweeping than those found in the European jurisdictions, examples on which the third party so often wants to base, however inappropriately, its response to Ontario's labour issues. Although it may be an interesting exercise for the members of this House to examine European approaches to European problems, I am convinced that policy development by this government can only be linked to the specific economic and social traditions of North America.

The need for a program that effectively evaluates the impact of plant closures is one that this government has recognized and acted upon. The plans outlined by the Minister of Labour to this House on October 14 represent the government's co-ordinated re-

sponse to this need. The assessment process set in motion by the interministerial field task teams and the activities of the manpower adjustment committees are indicative of the responsible and balanced approach kept in mind in the development of this program.

**Mr. Cassidy:** We have a real speech machine here.

**Mr. G. E. Smith:** The only speech machine we have is what we write ourselves; so I take full responsibility for my comments.

With respect to advance notice periods, once again I must state that the proposals in Bill 156 would reduce Ontario's cost competitiveness and considerably discourage investment in the province. Notice periods serve a specific purpose by providing an opportunity for employees to look for other work and make the necessary adjustments in their personal lives. The length of the notice period is therefore determined on the basis of what would prove useful to those facing termination of employment. At the same time, the period must be reasonable from the point of view of the employer who may have genuine problems in forecasting the future courses of business, production and his manpower needs.

5:10 p.m.

In the past, these considerations have been the rationale behind advance notice periods. The proposed length of notice in Bill 156 would be of little benefit to employees on indefinite layoff who retain recall rights and are prepared to wait for eventual recall. It would only present additional forecasting problems to employers.

This burden may ultimately be aggravated by heavy pay-in-lieu-of notice costs which would result from an employer's inability to predict that far ahead, adding to the cost burden of doing business in Ontario. It would present considerable obstacles to investors and ultimately could only discourage investment in this province.

Looking at the provisions for job transfer and relocation rights, a number of matters remain unclear. Is it the intention of the bill that, in addition to the right to move with the job, employees carry their seniority with them upon relocation? If that is the case, I suggest there would be some real and practical difficulties with relocation to plants with an existing collective agreement, with its own seniority agreements and arrangements. If the employee does not have the protection of seniority



at the new plant, there may be little incentive to relocate. In fact, relocation may be risky.

Intricate questions such as these arise in considering transfer of bargaining rights as well as job relocation rights. The bill before us today does not respond to these complexities, nor does the third party acknowledge that the impact of these rights may prevent the recruitment of local labour in the area in which the employer relocates.

It has been stated already in this House by the Minister of Labour, and referred to by the member, that severance pay is an issue this government is not opposed to in principle. It can be thoroughly discussed at the level of the committee established in the House last Tuesday. I am certain everyone in this House is aware that any severance pay program must be carefully worked out since complications can easily arise when implementing a pay plan. Knowing the importance of detail in this issue, I am surprised the severance pay scheme suggested in Bill 156 ignores many important factors. The proposed scheme establishes no maximum pay level, no minimum eligibility requirement and does not explain how severance pay would apply to those employees on indefinite layoff waiting to be recalled.

The ambiguity and open-mindedness of this scheme really does concern me. Once again, the third party has presented a statutory scheme that is not comparable to any provisions in any competing jurisdiction. Indeed, its provisions are more generous than many of the severance pay arrangements to be found now in collective agreements.

**The Deputy Chairman:** The honourable member's time has now expired.

**Mr. G. E. Smith:** Mr. Speaker, implementation of these provisions in Bill 156, in my mind, would cause some real and serious problems. I regret I do not have time to finish some of my other observations, but in view of what I have said I cannot support this bill.

**Mr. Van Horne:** Mr. Speaker, it is a pleasure for me to rise in support of Bill 156, An Act respecting the Security of Employment in Ontario. I would add that all of us here in this chamber should support any attempt to make the party in power, the government, aware of the severity of the problem.

We get pretty blasé at times when we look at newspapers without even considering some of the details in them. Daily we are bombarded with articles such as this, which I

picked up from my own community in London, Ontario, just yesterday, headlined "Million Jobless; 10 Per Cent Inflation Predicted." One little snippet out of this rather large article points out that the jobless rate in Canada is expected to average 8.1 per cent over the period of 1980 to 1985 and will not drop below eight percent until 1984.

Comments such as that, I would point out to the members, appear daily. I am afraid many of us do not give them the time and consideration they need, because they do reflect the very disastrous state of our employment, the disastrous state of the economy and the disastrous state of our entire country. I do not think we should for a moment delude ourselves into believing that this private member's bill is going to pass today. Unfortunately, it will not, given that the previous speaker is reflecting the desire of the government to block even a vote on this bill. But I do feel we have to take every opportunity we have as legislators to underline the seriousness of the problem and, we hope, to bring it more forcefully to public attention.

As indicated by the member for Cambridge (Mr. M. Davidson), who introduced this piece of legislation, although it is a private member's bill, it is the policy of the New Democratic Party in Ontario. If I could take leave to follow that theme, even though this is a private member's bill, I would point out that we Liberals have devoted considerable time, particularly in this past term that I have been the labour critic, to the needs of labour and management. I think we have proved that through our labour task force, consisting of three of my colleagues here in the Ontario Liberal Party and myself. Over this past year we have met with representations from labour, from management and from the private sector and we will continue to meet with them. We hope we will have ongoing grass-roots input in helping us formulate policies to meet the problems of the day.

I submit that if the government is going to sit back, as indicated by the member for Simcoe East (Mr. G. E. Smith), who I assume reflected the government's attitude, and say that we as a government are balancing Ontario's competitive advantage, on one hand, and encouraging the investment that Ontario has as a high priority, on the other hand, then we are really operating back in the 1940s and 1950s and we are not operating in the arena of the 1980s.

I say that simply because present times dictate that we look at the situation that

exists with us right now. Let us not talk about Ontario's advantage competitively in the investment world or in the manufacturing world. To say that and admit at the same time we have extremely high unemployment and inflation beyond all other provinces would be to offer an argument that is self-defeating.

I point out to the government that we must attack the problems that face us right now. If the government is going to say on balance it has to give greater consideration to companies coming into Ontario at the expense of workers who are going without, or who will shortly be going without, then I would say its focus is all wrong.

It is pretty obvious to me that existing legislation and regulations do not meet the needs of labour or management in the 1980s. One has only to look at the minister's statement of October 14, in which he rather reluctantly and vaguely went on at length about some of the problems here in Ontario without naming names and without designing or elaborating on programs. Then one looks three days later to October 17, at which time he announced the appointment of Mr. Joyce as a special adviser on employment adjustment problems. I hardly call that planning ahead. One would have thought when we came back for this fall session on October 6 that these things would have been in line and that they would have been ready to roll. In fact, that was not the case. The minister and the ministry had to be prodded.

5:20 p.m.

I would like to devote a few moments to the bill itself and point out areas where I see some slight need for improvement or change in the event that one-in-a-thousand chance might take place this afternoon and this might get put to committee. If this were put to committee, albeit that is not too likely, I would point out that part I, section 4, uses the following language: "The objectives of the job protection board are to inquire into the causes of intended layoffs and plant closings."

I question the wording there. I wonder if, in the few moments left to the introducer of the bill, the member for Cambridge, he could elaborate on "intended" and what he intended by using that particular word.

Part I, section 8, which has many subsections to it and which seems to tie in in theme or principle to part II, the community adjustment fund, has need for some legalistic examination, because there are many demands in section 8(1), particularly with its

nine clauses, (a) to (i), that may require, in my view, considerable examination.

Parts III and IV of the bill are very similar to what was offered by the Liberal Party in the press conference prior to the opening of the Legislature this month and are similar to a private member's bill that was introduced on the first day of the sitting, October 6, with respect particularly to the Pensions Benefit Act amendments and to the Employment Standards Act amendments.

As I indicated in the beginning, we feel there is a great need for the Legislature to address itself to those themes right now. Even though this may not pass today, it is my hope that the select committee on plant shutdowns and employee adjustment, which had its first organizational meeting this morning, will take today's Hansard and use that as one of its cornerstones for the beginning of its deliberations over this next little while, because I perceive the arguments made by the member for Cambridge and the arguments made by the government to be worthy of considerable close examination.

It is our feeling as a party that the items we have suggested with regard to amending the Employment Standards Act with respect to changing the termination notice and the severance pay, along with the concerns we have expressed over the need for changes in the portability of pensions—proposals which are not unlike the ones made by the member for Cambridge—would make it much easier for those workers facing layoffs to face that terrible crisis in their life.

In conclusion, let me submit that this whole theme, if it does not get passed today and go on to committee, should be redirected to the select committee's endeavours over the next few weeks.

Mr. Cassidy: Mr. Speaker, this bill is put forward with full support of the New Democratic Party and of our caucus because the philosophy that underlies the Job Security Act is that working people have an investment in their jobs—an investment that must be recognized here in the Legislature through legislation.

Over the years we have had governments in Ontario that have erected considerable protections for people who invest in companies in the province, which is a responsible thing to do. All the New Democrats demand is that workers in a factory or a store or a mine who invest their lives in a job have their investment protected too.

The Job Security Act will provide that protection for Ontario workers. It will assure



men and women who have put 30 or 40 years of their lives into a company that every reasonable step will be taken to maintain their jobs and that their claims will be recognized if a company has no choice but to close. Likewise, the bill guarantees communities that an unjustified corporate decision to shut down will not throw the whole community into an instant recession. It says the provincial government, which has the power and the jurisdiction, will take every reasonable step to ensure that a community's investment in a plant threatened with shut-down will be protected.

My colleague the member for Cambridge has outlined the basic provisions of the bill. It provides for a job protection board. It provides a requirement that companies justify their decisions to shut down. It gives the government powers to act to alleviate or prevent that shutdown and to protect the jobs. It protects the workers with severance pay, better advance notice and pension protection.

I regret that the member of the Conservative Party who spoke and the government seem to take the same view. They seem to be saying the New Democratic Party's job protection proposals would be outrageous interference in the rights of corporations operating in the province. "Never explain; never apologize," is the motto of Ontario's Tories and their corporate friends. The government keeps arguing it will scare new investment away, without looking at the old investment that is leaving this province without a by-your-leave and with no recognition of its obligations to the workers and communities of Ontario.

Our proposals are hardly radical. They only provide Ontario workers with the same protection workers throughout Europe have had for years. The European Economic Community—not just single countries there—require all member countries to make corporations that decide to lay off large numbers of workers or shut down their plants justify their actions both to the workers and to governments. It makes them prove their case by opening their books.

In Ontario those decisions are regarded as none of the workers' business, even though we know managements go through those internal exercises of justification before they make the decision that affects so many workers' lives. This kind of attitude breeds injustice to the people who produce the wealth of the province.

In the House today I gave an example and got no adequate response from the Minister of Labour. Armstrong Cork in Lindsay has received orders from its head office in Lancaster, Pennsylvania, to shut down the plant. The newspaper headline reads, "300 Jobs Rolled Up Despite Profits."

Armstrong's carpet plant has turned a profit for the last two years. The parent company, which owns 55 manufacturing plants in six countries, had a profit of \$21.5 million in the first few months of this year, up from a little less than \$17 million for the first quarter of 1979, when the total profit was \$66 million.

The Canadian president of the company explained the shutdown this way, "Although we were in the black, you would be a lot better off in Canada Savings Bonds." Who would be better off in Canada Savings Bonds? The 300 people who were out on the street, most of whom, two months after the shutdown was announced, have yet to find jobs? The community of 15,000 with no alternative employer? The province, which loses an industry with 300 jobs and will now find itself importing the product, the carpet, we used to make here in Ontario. They would not be better off; only the company would.

We say the government of Ontario should be aware of the plight of the workers of Lindsay who were affected. We should get more than the milk of human kindness and little flasks of concern from the Minister of Labour when we hear the story of a family like the Coombs family which I cited today, where six workers, aged between 25 and 63, are thrown on the street as a result of the Armstrong Cork shutdown—six workers who have invested 75 years of their working lives in that one corporation and now find themselves without another job to go to.

5:30 p.m.

The government should say to Armstrong Cork: "You owe these people and you owe Lindsay. You must make every reasonable effort to keep that plant open. If you need help, we will discuss it, but you owe it to your workers to explain to them why you are doing what you are doing and it had better be good." The Job Security Act says that to every corporation in Ontario. It tells those corporations they must behave responsibly and it gives the government the power to make those corporations act responsibly.

If Leslie Frost were still the Premier, he would not tolerate a company acting like Armstrong if the jobs of his constituents down

in Lindsay were threatened. But his kind of ad hoc intervention would not work today. Workers everywhere in Ontario should be protected. When closures anywhere in Ontario cannot be justified, they must not be allowed. We know now that shutdowns and layoffs have cost more than 46,000 working people their jobs so far this year in Ontario. The Minister of Labour's response has been to deny that figure, which was produced by his own department.

The Minister of Labour has hired a former businessman to be a layoff co-ordinator. He will be available on a part-time basis to help to disperse laid-off workers but not to protect their jobs. The Minister of Labour has declared he is not against severance pay in principle, but he is not prepared to guarantee it for Ontario workers.

The government has agreed to establish a select committee on layoffs, but it is obviously not anxious to take any specific action. It says it wants to protect laid-off workers, but the response shows that its heart just is not in it.

Last week the Conservatives got up in the debate on the New Democratic Party's Full Employment Act to say they were committed to full employment and have been for the 37 years they have formed Ontario's government. Then, despite the fact that some 300,000 people are unemployed in this province, they voted to block the bill that would make that commitment a legislative goal in Ontario.

Today it is quite clear that the government intends to tell us it is committed to protecting Ontario's working people, but it is not prepared to support the Job Security Act and send it to committee. We think this bill should go to the committee so that workers in this province can have the same sort of protection the Conservatives give to corporate investors.

If the Conservatives block this bill, then they are saying to this Legislature and to the people of Ontario that they do not care about working people. New Democrats believe that if we are going to turn Ontario's economy around it is going to have to be done by workers and industry working together in partnership as equals. We cannot have workers and industry working together as equals if working people have no rights. That is why we are looking for legislation to protect workers in their jobs, and we believe legislation is as important to our economic growth as legislation to protect investors.

I am tired of attacks on working people by members of this government who are not

prepared to treat those working people as equals in every respect of our economic life in Ontario. New Democrats are committed to winning justice for Ontario's working people and we intend to use this bill and the layoffs committee. We intend to get economic justice and to get that protection for Ontario's workers, and we intend to get that protection now.

**Mr. Ramsay:** Mr. Speaker, I wish at this time to remind the members that the government has already proposed reasonable, workable and affordable measures that should help to alleviate the individual and community dislocation referred to in the bill we are now asked to consider.

The government has long accepted the principle that employers bear some responsibility beyond the provision of jobs and fair wages to the communities in which they locate. Our proposals recognize, in addition, the importance of maintaining an economic climate that is competitive in the North American context. They are consistent with our long-standing commitment to the expansion of employment opportunities in Ontario.

I might point out that the individual worker will inevitably benefit from the balanced approach. We will address immediate social and financial problems that arise from plant shutdowns without discouraging the new investment that will lead to job creation, such as that which has resulted in an increase in employment of 118,000 over the past two years.

Several years ago the government identified the need for a general review of all pension legislation in Ontario. We expect the exhaustive report of the Royal Commission on the Status of Pensions in Ontario within the next few months. However it has recently become obvious that the combination of worldwide recession and substantial dislocations within North American markets has resulted in particular employment problems for older residents of a number of Ontario communities. As the question of early pension entitlement has become especially timely and relevant, the government announced its intention to take prompt action on this and some related issues.

The members are aware that the Minister of Consumer and Commercial Relations (Mr. Drea) will shortly be introducing amendments to the Pension Benefits Act. They will address the question of the choices open to employees upon termination of a pension plan, including their right to early retirement and the establishment of a centrally adminis-



tered fund to guarantee pension rights in those instances where terminating plans are not fully funded.

All of these will help protect the future financial security of employees who have contributed over the years to a pension plan that is no longer available to them. We will await the report of the royal commission on pensions to see what further measures it might recommend. However, it is important to note that of all the problems initiated by unexpected plant closures those related to pensions have the potential for causing the greatest trauma among long-service employees.

We must recognize that the expectations and the assumptions of these people may have included a future lifestyle financed by clearly defined pension benefits. If, owing to the misfortunes of an employer, the employees are deprived of their expected level of benefits in a pension arrangement, the implications for personal retirement planning can be acute. The government finds this kind of financial dislocation unacceptable.

When we are discussing the options available to Ontario with respect to the current concerns, I believe it is important to bear in mind that our present termination provisions are comparable to or more beneficial for employees than those of most other jurisdictions in North America and Europe. As a matter of fact, only two states, Maine and Michigan, have any effective legislation at all that relates to plant closing or relocation.

We note as well Ontario's arrangements take into account the acknowledged difficulty of forecasting rapidly changing markets and production costs. In this province, as in all other provinces, we have accepted the view that severance pay is an area appropriate for collective bargaining between employer and employees. Indeed, 28 per cent of the major collective agreements in Ontario—that is, those involving 200 or more employees—contain some form of severance pay or layoff benefits other than supplementary unemployment benefits. These plans affect more than 50 per cent of all employees covered by major collective agreements.

However, the government is not opposed to the principle of severance pay and is open to an examination of the implications of statutory provision for severance pay. I believe we are in agreement that this, along with other matters related to the appropriate length of notice requirements and possibly other aspects of plant closure proceedings, should be referred for discussion to the new

select committee on plant shutdowns and employee adjustment.

Recent events have shown that the provision of the Employment Standards Act which ensures that employees receive pay in lieu of notice may at the same time lead to loss of fringe benefits and to seniority related to pensionability. There have been several instances of employees losing pension benefits and medical coverage to which they have been entitled had they worked through the period of notice. I am therefore pleased that the government will be moving to amend the Employment Standards Act to require the continuation of entitlement to pensions and other benefits for the equivalent of the notice period.

Many members will agree, I am sure, that the joint manpower adjustment committees have frequently played an important role in relocating employees affected by plant closures. In 1979-80, 58 committees were established; 66 per cent of the employees involved obtained alternative employment as a direct result of committee activity and another 10 to 15 per cent found employment on their own. The participation of the federal government in the committees is significant. It confirms my view that the different levels of government must continue to assume, along with management, responsibility for the future of terminated employees. While most employers are pleased to share in this responsibility with the Ontario Ministry of Labour, the Canada Department of Employment and Immigration and employee representatives, some have refused. We therefore proposed a further amendment to the Employment Standards Act which will require employers to participate in and contribute to the funding of these committees.

5:40 p.m.

I, along with all government members, am particularly proud of the innovative and comprehensive response represented by the establishment of an interministerial co-ordinating mechanism. This will enable the several distinct concerns which may arise when a plant closure is announced to be addressed.

We were particularly gratified when the Minister of Labour was able to announce the appointment of a distinguished labour relations practitioner, Robert D. Joyce, to co-ordinate the activities of regional interministerial teams, each of which may include representatives from the ministries of Labour, Industry and Tourism, Colleges and Universities, Community and Social Services and Intergovernmental Affairs.

Through the offices of Mr. Joyce and the various ministry experts, the government will be able to collect the relevant information shortly to identify any possibilities for maintaining the operations. Where the closing proceeds, its potential impact on employees and their community can be determined and the appropriate support measures for both can be mustered.

I have no hesitation in commending the government's proposals to the members. I am convinced that they will prove effective and that they represent the best possible approach from the point of view of individual employees and the economy as a whole.

**Mr. Sweeney:** Mr. Speaker, I rise to support the principles enunciated in Bill 156 and to ally myself with the spirit embodied in the bill.

I have heard members of the government and some of the business associations throughout this province say on a number of occasions that Ontario cannot afford legislation like this because we will frighten away potential investors and those industrialists who might want to locate here in Ontario. May I say, as one member of my party, that if there are investors and industrialists who want to locate in Ontario and who have such low esteem for the people who are going to work for them, and if they have no intention whatsoever of highly valuing the people who are going to work for them, then perhaps it is just as well that such industry does not locate in Ontario.

One of the things we need to say and to say very clearly is that we want industrial stability and industrial growth in this province as the industrial heartland of this country of ours, Canada, but we also want the kind of industry that is going to recognize the important contribution made by those who work with it and for it.

We also want to say as loudly and as clearly as we can to those industries that are currently located in this province, and to those who might anticipate locating in this province, that they should recognize the obligations they have to their workers and that these obligations supersede the obligations to their investors, their plant and their organizational plans. When we come to a situation where it is inevitable that layoffs and closures might take place, their obligation is to their workers.

I want to say as an aside that I am very pleased with the number of suggestions and recommendations in this legislation which would offset that situation on many occa-

sions, but when we come to that situation I want the industrial people of this province to know their workers have to come first.

I am speaking not only on behalf of myself—and I have tried to indicate how strongly I personally feel about this issue—but I believe I am also speaking on behalf of my community. On September 15, 1980, the council of the city of Kitchener passed this resolution:

"That the resolution of the city of Oshawa, requesting the provincial government to amend appropriate legislation to require companies to give six months' notice of impending plant closures and to enable workers to transfer their pension rights when they change jobs and requesting the federal government to implement a temporary assistance benefits program for unemployed workers, be endorsed." The community I represent heartily endorses the principle and the spirit of this resolution.

The references to justifiable and honest severance pay, to transfer and retraining rights and to portable pension benefits are all ones that I and my party strongly support. They are a clear indication to the working people of this province that they do have rights which must be protected. I am also attracted to the reference in this bill to the community adjustment fund, because it clearly says that when an industry locates in any community of this province it has responsibilities to that community.

**Mr. M. Davidson:** Mr. Speaker, first of all, I would like to thank my colleagues in the House who spoke to this bill, particularly those from the Liberal Party who spoke in support. I am disappointed, but not overly surprised, at the comments made by the speakers from the government benches. We have become used to that kind of rhetoric, as I mentioned during the course of my speech, not only in this House but also across the province. If we move to protect workers in this province, somehow or other that is going to bring doom and gloom to the industrial sector.

During the course of his remarks, the member for London North (Mr. Van Horne) asked me the intent of the word "intended" in section 4 of the bill. I point out to him that when there is going to be a layoff of any magnitude the company must notify the workers. We are just suggesting that at the same time they are notifying the employee they notify the job protection board. That is what is meant by an intended layoff.



I find it surprising that in the most highly industrialized province in Canada we are reluctant to take leadership. Both of the members on the government benches suggested that nowhere on the North American continent did legislation such as this exist or had been implemented. But, as a government, it does not hurt on occasion to provide the kind of leadership that is evident in this bill.

The working people in this province deserve and need the kind of protection that is offered. I am sure workers in other provinces deserve and need the same kind of protection. But as long as no one has it, then Conservative and Liberal governments across this country can stand up and say: "No one else has got it? Why should we have it?"

I suggest it is time this government took the initiative, provided some leadership in this country and implemented this bill. They could pass this bill today, let it go to committee and, if they do not like it they can amend it. But if they vote against it, we know exactly what it is they are voting against, namely better protection for the working people of this province.

5:50 p.m.

#### FIREFIGHTERS MEMORIAL SUNDAY

Resolution concurred in.

#### JOB SECURITY ACT

The following members having objected by rising, a vote was not taken on Mr. M. Davidson's motion for second reading of Bill 156:

Auld, Baetz, Birch, Brunelle, Cureatz, Drea, Eaton, Elgie, Gregory, Hennessy, Hodgson, Kennedy, Leluk, McCaffrey, McNeil, Newman, W., Norton, Ramsay, Rotenberg, Smith, G. E., Villeneuve, Walker, Wells, Williams, Wiseman—25.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Wells:** Mr. Speaker, I would like to announce the business of the House for the remainder of this week and for next week.

Tonight we will debate the report of the select committee on constitutional reform. I would like to get the agreement of the House that we will split the time by allocating 50 minutes for each of the three parties in the House.

Tomorrow we will debate the interim supply motion on the Order Paper, followed by estimates concurrence of the following: Office of the Assembly, Office of the Provincial Auditor, and the Ministry of Correctional Services. If time permits, we will go into budget debate.

On Monday, November 3, we will consider the estimates of the Ministry of Northern Affairs.

On Tuesday, November 4, in the afternoon, we will have second and third readings of private bills standing on the Order Paper; second reading and committee of the whole House on Bills 168 and 169; and second reading and committee of the whole House on Bill 175. In the evening, we will resume second reading debate on Bill 118 and, if time permits, continue budget debate.

On Wednesday, November 5, the three standing committees may meet in the morning: general government, resources development and administration of justice. On Thursday, November 6, in the afternoon, we will consider private members' ballot items 31 and 32 standing in the names of Mr. Leluk and Mrs. Campbell. In the evening, we will continue the debate on the report of the select committee on constitutional reform.

On Friday, November 7, the House will consider the estimates of the Ministry of Northern Affairs.

The House recessed at 5:54 p.m.

## APPENDIX

(See page 3881)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

## PAYMENTS TO CONSULTING FIRMS

**155. Mr. T. P. Reid:** Will the Chairman of the Management Board advise the House how many consulting contracts were renegotiated and subsequently higher payments made than the original tendered prices by consulting firms doing work for government ministries in the last fiscal year? How many payments were made of any kind over and above the negotiated contract price? How much money was paid and what were the names of the firms? (Tabled May 8, 1980.)

**Hon. Mr. McCague:** During the fiscal year 1979-80, there were 407 contracts with consultants doing work for the government ministries, where the final payment was greater than the original contract price.

Renegotiation can take place for a number of reasons, including expansion of the terms of reference, underestimation of the time required in the original contract, et cetera. The cases cited include all categories for which higher payments were made.

The total amount involved was \$4,742,000.

The names of the consultants are appended. Further details of the individual contracts reside with the pertinent ministries.

## Names of Consultants

Ministry of Agriculture and Food

None

Ministry of the Attorney General

P. S. Ross and Partners

Ministry of Community and Social Services

A.R.A. Consultants

Associated Data Services

Bailey and Rose (2)

B.G.H. Consultants (2)

Boston, Gilbert & Henry

Buckley & Kelling (2)

Prof. Novia Carter

Croil Associates, T.

Dalby, Barry

Feldstein & Millar

Hardy Consulting, Eric

Jackson Smith & Associates (2)

IERP Associates (2)

Judge, Finch & Associates

Langstaff & Associates

Frank McCrea Ltd. (2)

Palmer S.

Planned Computer Systems

Price Waterhouse

Trevor Harrison Records Management  
Toronto Executive  
Vine, William  
Walters & Associates, P.B.

Ministry of Consumer and  
Commercial Relations

Planned Computer Systems Ltd.  
James F. MacIaren Limited  
Clarkson, Gordon & Company

Ministry of Correctional Services  
None

Ministry of Culture and Recreation

Boston, Henry Gilbert Associates Ltd.  
Peter Bulloch and Co. Ltd.  
C.A.S.E.  
DMR and Associates (2)  
Dora Holdaway  
Holocene Management Consulting Ltd.  
J. M. Jamieson  
The Levy Coughlin Partnership  
Lynne Palmer  
Kay Robinson  
Torcom Consultants Ltd.

Ministry of Education and Ministry of  
Colleges and Universities

David F. Dineen Associates  
Systemhouse Ltd.  
Currie, Coopers and Lybrand (3)  
A.R.A. Consultants  
Stevenson and Kellogg  
Carleton University  
Ontario Confederation of University  
Faculty Associations  
O.I.S.E. (2)  
University of Ottawa  
Edu-Con of Canada Incorporated  
London Board of Education  
University of Guelph  
Environics Research Group  
C.C.B. Systems  
Fernand Computer Services

Ministry of Energy

Currie, Coopers & Lybrand Ltd. (2)  
Arthur C. Johnson & Assoc. Inc.  
Dewees Consulting Ltd.  
John R. Winter  
Ontario Research Foundation  
Redma Consultants Ltd.  
Dames & Moore Consulting Engineers  
Wayne B. Trusty Assoc. Ltd.  
Ralph Hedlin Associates (2)  
David B. Furlong Consultants Ltd.  
E. Anne Carruthers  
Con-Serve Group  
Consumers' Gas Company



Dick Consulting Services Ltd.  
 Giffels Associates Ltd.  
 Okins, Leipziger, Cuplinskis  
 Stitt, Baker & McKenzie  
 York University  
 David B. Furlong Consultants Ltd.  
 W. D. Brittain, P. Eng.  
 H. Derrick Leach Consulting Resources

#### Ministry of the Environment

M. M. Dillon Limited  
 L. Jenkins  
 Envirocon  
 F. C. Haussmann Consulting Limited  
 Regional Municipality of Durham  
 Nucro-Technics  
 BEC-Bunsel Environmental Consultants  
 Moniteq Labs Limited  
 Ph. D. Associates  
 N. L. Bincent Consulting  
 R. Vet Environmental Consulting  
 R. S. Chiu Company  
 Enviro  
 Finex  
 Gary H. F. Wong, Environmental Consultant  
 Skeltech  
 United Technology and Science Inc.  
 University of Windsor, Chemical  
 Engineering Department  
 M. S. Krugel, Environmental Consulting  
 Scienc Inc.  
 J. Marson, Environmental Consultant  
 J. E. MacLaren

#### Ministry of Government Services

SCA Systems Limited, S. Cowell  
 Bailey and Rose Limited (2)  
 D. A. Talbot Associates  
 Hickling Johnson  
 Price Waterhouse Associates Inc.  
 Lynne Palmer  
 Quasar Systems Limited  
 Peat Marwick and Partners (2)  
 Stevenson & Kellogg Ltd.  
 Interplan Ltd.  
 Rybka, Smith and Ginsler Ltd.  
 Chorley and Bisset Ltd. (2)  
 Okins, Leipziger, Cuplinskis, Kaminker (2)  
 Crossey, Langlois, Firman Inc.  
 A. Venczel and Associates  
 T. Deyong Ltd.  
 Acres Consulting Services Ltd.  
 Giffels Associates Ltd.  
 BFH/Shawinigan  
 Michael Ch. Ogus  
 Leo E. Venchiarutti  
 De Leuw Cather Canada Ltd.  
 Erdman W. Knaack  
 Underwood, McLellan (1977) Ltd.  
 Andrew S. Volgyesi  
 William Kachmaryk

David C. Stevens and Associates  
 John F. A. Haayen  
 Stephen Katz Associates  
 Nicol, Ream, Johnston  
 E. W. Petzhold  
 Wildman Hadfield  
 C. Trivers  
 H. Sutcliffe (2)  
 Speight and Van Nostrand  
 Phillips, Wilson and Milton  
 West and Ruuska  
 R. A. Clarke (2)  
 W. R. Coe (3)  
 Fairhall and Moffatt (3)  
 W. M. Fenton  
 S. W. Allen  
 S. G. Hancock  
 Hewitt and Milne  
 Holding and Jones  
 D. W. J. McNeil  
 Chambers and Miller  
 G. W. Bracken  
 J. D. Barnes (2)  
 Koester, Bennett, Norgrove (3)  
 H. MacKenzie  
 Lloyd and Purcell  
 R. M. Johnson  
 H. V. Jewitt  
 J. J. Newlands

#### Ministry of Health

Boston Gilbert Henry Associates Ltd. (3)

#### Ministry of Housing

Design Collaborative Ltd.  
 I. P. Sharp Associates Ltd.  
 Johnson Sustronk Weinstein Associates Ltd.  
 John Bousfield Associates Limited  
 John G. Williams Associates  
 Leonard M. Huget, Architect  
 C. A. Sexton Limited, Surveyors  
 Thorne Riddell & Company  
 Bregman & Hamann Architects  
 Helmer Assoc. Architects  
 Hill & Borgal, Architects  
 McLean & MacPhadyen Architects  
 John D. Paterson & Associates Limited  
 Ferguson Brosz & Assoc.  
 M. M. Dillon Limited  
 H. H. Angus Ltd.  
 Buchan, Lawton, Parent Ltd.  
 M. Broom & Bare, Toronto  
 K. Carlisle  
 J. B. Consultants  
 Cross, Stiles & Brown (2)  
 S. H. Dewdney & Associates  
 Dowdell, Pal & Associates  
 Englar, Harrington and Leonard  
 Fondex Ltd. (2)  
 I. Gerskup (3)  
 J. P. Kloc & Associates (2)

O. Conway Associates  
 Marshall, Macklin and Monaghan  
 John Maryou & Partners  
 Nisbet, Letham Ltd.  
 Schaeffer & Reinthaller  
 Technicon Design  
 Warnock Hersey  
 Allan Zeegan (3)

#### Ministry of Industry and Tourism

Bertram Brothers Ltd.  
 Niagara River Construction Ltd.  
 Stark Temporale Architects and Planners (4)  
 Beaumont-Major and Associates Ltd. (3)  
 Shormar Management Consulting Services

Ministry of Intergovernmental Affairs  
 None

#### Ministry of Labour

Numetrix Limited  
 Professor B. Baines  
 Michael Holliday and Associates  
 M. Sabanski Consultants  
 John Popular

#### Management Board of Cabinet (Civil Service Commission)

T.A. Associates  
 Buckley and Kelling Computer Consultants Limited

Management Board of Cabinet (Secretariat)  
 None

#### Ministers without Portfolio

None

#### Ministry of Natural Resources

M. M. Dillon  
 Newhouse Communications  
 V. B. Cook Ltd.  
 Cryslar and Lathem Ltd.  
 F. J. Reinders & Assoc. Ltd.  
 Quasar Systems Ltd.  
 Marshall, Macklin and Monaghan Limited

#### Ministry of Northern Affairs

Ruston, Shanahan & Associates Limited  
 Ms. Nancy Redgrift  
 Hough, Stansbury & Michalski Ltd.  
 Cam Barret  
 R. C. Quittenton and Associates  
 Robert C. Clarke

Office of the Premier and Cabinet Office  
 None

#### Provincial Secretary for Justice

None

#### Provincial Secretariat for Resources Development

Professor R. C. B. Risk  
 Leighton & Kidd Limited (2)  
 Dr. James C. Dooley

Provincial Secretary for Social Development  
 None

#### Ministry of Revenue

Towers, Perrin, Forster & Crosby

Ministry of the Solicitor General  
 None

#### Ministry of Transportation and Communications

Cole, Sherman & Associates Ltd. (10)  
 Damas & Smith Ltd. (3)  
 DeLeuw, Cather Canada Ltd. (14)  
 M. M. Dillon Ltd. (13)  
 Fenco Consultants Ltd. (11)  
 Giffels, Davis & Jorgensen (4)  
 McCormick, Rankin & Assoc. Ltd. (14)  
 Parhet Engineering Ltd.  
 C. C. Parker & Assoc. Ltd. (4)  
 Philips Planning & Eng. Ltd.  
 Proctor & Redfern Ltd. (5)  
 W. L. Sears Ltd.  
 Totten Sims Hubicki Ltd. (5)  
 Wyllie & Ufnal Ltd. (4)  
 Valcoustics Canada Ltd.  
 Albery, Pullerits, Dickson & Associates  
 Planmac Consultants Ltd.  
 Morrison, Hershfield, Burgess & Huggins Limited (2)  
 Preconsult Canada Ltd.  
 The Trow Group Ltd.  
 Franklin Trow Associates  
 Carl Zeiss Ltd.  
 Delcan Deleuw Cather Ltd.  
 Marshall Macklin Monaghan (4)  
 Currie Coopers Lybrand  
 N. D. Lea Associates  
 T. E. Rody Ltd.  
 Capital Air Services Ltd.  
 Stevenson and Kellogg  
 Paul Lyons & Associates (4)  
 Sal W. Fasullo  
 Woodstock Engineering  
 Dominion Soils (2)  
 Greer Galloway  
 Northland Engineering (2)  
 McNeel Engineering Ltd.  
 Horton E. Wallace Ltd.  
 Stevenson, Hardtke Associates Ltd.  
 Corush E. Larocque Ltd.  
 R. V. Anderson Assoc. Ltd. (3)  
 Underwood McLellan & Assoc. (5)  
 Bird and Hale  
 Gartner Lee and Assoc. (2)  
 R. S. Kirkup and Sons (2)  
 Howard M. Graham Ltd.  
 Phillips Wilson & Milton Ltd.  
 Nisbet, Letham Ltd.  
 Wright and Barker Company Ltd.  
 Stephen B. Nicholson



A. J. Graham Engineering Ltd.  
Giffels & Associates  
Giffels (2)  
Phillips Engineering

Ministry of Treasury and Economics  
None

Note: A number in brackets indicates the number of contracts with one firm.

#### THAMES VALLEY AMBULANCE SERVICE

**170. Mr. Van Horne:** Will the Minister of Health table the following information: 1. How much has been charged by the Thames Valley Ambulance Service in the calendar years 1977, 1978, and 1979, for ambulances attending fires? 2. How many fire alarms did they attend in each of those three years? 3. How many people were transported by ambulance from the scene of a fire, as a result of injury, in each of the calendar years? (Tabled May 15, 1980.)

**Hon. Mr. Timbrell:** 1. My ministry has confirmed with the London Fire Department and Thames Valley Ambulance Service that no charges have been levied for standby service at fires.

2. Thames Valley Ambulance was called to attend the following number of fires:

	Called to attend	Cancelled prior to arrival at scene	Attended
1977	963	816	147
1978	1,060	986	74
1979	1,124	864	260

3. The following number of people were transported in those years: 1977, 53; 1978, 52; 1979, 34.

#### EMCA EXAMS

**257. Mr. Stong:** 1. Will the Minister of Health provide data on the distribution of marks in the emergency medical care assistant examinations of the summer of 1979 and winter of 1979-80, separated in the theory component and the practical component, under the following headings: (a) the total number of candidates challenging each examination component; (b) the number of candidates with marks between 60 and 70 per cent; (c) the number of candidates with marks between 50 and 60 per cent? 2. If the ministry has graphical illustrations of the mark distribution for all EMCA examinations to date, will the minister provide a reproduction of those graphs? 3. Does the ministry make use of mark distribution patterns to aid

in the evaluation of the appropriateness and validity of the EMCA examinations? 4. Will the minister describe the checks at present undertaken on the (a) validity and (b) reliability of each component of the EMCA examinations? (Tabled June 17, 1980.)

**Hon. Mr. Timbrell:** 1. (a) Total number of candidates challenging the theory and practical component of the EMCA examination:

Summer 1979	Theory — 339
	Practical — 282
Winter 1979/80	Theory — 169
	Practical — 128

(b) Number of candidates with marks between 60 and 70 per cent:

Summer 1979	Theory — 107
Winter 1979/80	Theory — 40

(c) Number of candidates with marks between 50 and 60 per cent:

Summer 1979	Theory — 27
Winter 1979/80	Theory — 6

(d) Practical component: The practical component is scored on a pass/fail basis. Candidates must pass two separate scenarios. If they fail one scenario, they fail the whole practical component. However, only the scenario which was failed must be repeated on re-examination. To date, 210 candidates have passed the summer 1979 practical component. To date, 83 candidates have passed the winter 1979-80 practical component. Those having failed have yet to re-try the practical examination and/or complete the appeal process.

2. Graphical illustrations depicting the mark distribution for all of the EMCA examinations are not used. The cost of providing such a visual display is such that it cannot be rationalized since there would be no practical contributing benefit to the fairness of the examination processes.

3. Mark distribution is utilized to validate the performance of each question, each candidate, each statistical group, each chronological experience group as well as each educational base group.

4. (a) Examination papers are scored by a computer and a detailed item-by-item analysis of all questions is conducted. Any question that cannot be answered successfully by at least 75 per cent of the candidates is deleted from the scoring process and not counted against an individual candidate, unless, in the opinion of the physician consultant, the question is a basic life-support issue critical to a patient's survival. In such an unusual situation, the unanimous consent

of the Theory Working Group must be obtained to have the question count.

(b) Just as the theory working group, the practical working group also has a medical advisor to ensure the scenarios are as realistic as possible. Also the practical examination scenarios are approved and validated by the medical staff of McMaster University Medical Centre.

#### NEW HOME WARRANTY PLAN

**267. Mr. Breithaupt:** Would the Minister of Consumer and Commercial Relations supply the following information concerning the HUDAC Ontario new home warranty plan for the years 1976, 1977, 1978, 1979 and for such part of 1980 as is possible, and for each answer could the minister also break down the statistics according to type of claim, that is deposit claims, major structural defect claims and other claims: 1. the total number of claims entered against the plan for each year; 2. the total number of claims

paid for by the plan for each year; 3. the total amount paid to claimants by the plan for each year; 4. of the claims paid by the plan in each year, the number of such claims which had been entered by the home owner within the first year of his or her warranty; 5. of the claims paid by the plan in each year, the total amount paid by the plan for claims which had been entered by the home owner within the first year of his or her warranty; 6 where the plan made payments in each year to home owners who had entered claims within the first year of their warranty, the total amount recovered from builders by the plan; 7. where the plan did not recover any amount from a builder with respect to payments made for claims entered by a home owner within the first year of his or her warranty, a breakdown of the amounts not recovered according to the reason for no recovery? (Tabled October 6, 1980.)

**Hon. Mr. Drea:** 1. Total number of claims:

Year	Deposit	Major Structural Defect	Warranty	Total
1976	—	—	—	—
1977	21	1	206	228
1978	181	39	718	938
1979	237	276	1,185	1,698
1980 (to Aug. 31)	34	167	338	539
	473	483	2,447	3,403

#### 2. Number of claims paid:

Year	Deposit	Major Structural Defect	Warranty	Total
1976	—	—	—	—
1977	21	1	206	228
1978	181	19	718	918
1979	237	26	1,165	1,428
1980 (to Aug. 31)	34	7	328	369
	473	53	2,417	2,943

#### 3. Total amount paid to claimants:

Year	Deposit	Major Structural Defect	Warranty	Total
1976	—	—	—	—
1977	\$ 79,740	\$ 3,150	\$ 303,196	\$ 386,086
1978	\$ 875,776	\$106,289	\$1,455,474	\$2,437,539
1979	\$3,453,614	\$127,950	\$1,553,660	\$5,135,224
1980 (to Aug. 31)	\$ 145,650	\$ 12,375	\$ 355,305	\$ 513,330
	\$4,554,780	\$249,764	\$3,667,635	\$8,472,179



## 4. Number of claims within first year:

Year	Deposit	Major Structural Defect	Warranty	Total
1976	—	—	—	—
1977	21	—	206	227
1978	181	—	718	899
1979	237	—	1,165	1,402
1980 (to Aug. 31)	34	—	328	362
	<hr/> 473	—	<hr/> 2,417	<hr/> 2,890

## 5. Amount of claims within first year:

Year	Deposit	Major Structural Defect	Warranty	Total
1976	—	—	—	—
1977	\$ 79,740	—	\$ 303,196	\$ 382,936
1978	\$ 875,776	—	\$1,455,474	\$2,331,250
1979	\$3,453,614	—	\$1,553,660	\$5,007,274
1980 (to Aug. 31)	\$ 145,650	—	\$ 355,305	\$ 500,855
	<hr/> \$4,554,780	—	<hr/> \$3,667,635	<hr/> \$8,222,415

## 6. Recovery from builders on claims within first year:

Year	Deposit	Major Structural Defect	Warranty	Total
1976	—	—	—	—
1977	—	—	\$ 46,890	\$ 46,890
1978	\$23,087	—	\$139,314	\$162,401
1979	\$30,759	—	\$109,307	\$140,066
1980 (to Aug. 31)	—	—	\$ 1,000	\$ 1,000
	<hr/> \$53,846	—	<hr/> \$296,511	<hr/> \$350,357

## 7. Reasons for nonrecovery from builders:

Bankrupt builders .....	\$5,865,157
Invoice or legal action in progress .....	\$2,006,901
	<hr/> \$7,872,058

Further breakdown of these amounts is not available.

**268. Mr. Breithaupt:** Would the Minister of Consumer and Commercial Relations supply the following information concerning the HUDAC Ontario new home warranty plan: For as recent a date as is possible, could the minister indicate how many outstanding claims there are, as well as listing the dates when each of these claims was first filed with HUDAC? (Tabled October 6, 1980.)

**Hon. Mr. Drea:** Outstanding claims: August, 73; July, 78; June, 47; May, 38; April, 43; March, 32; February and prior, 171; total, 482. Further breakdown of these figures is not available.

## ONTARIO HYDRO CAPACITOR BANKS

**299. Mr. McKessock:** Would the Minister of Energy advise the House the cost to date to Ontario Hydro for the installation of capacitor banks across Ontario for 115 and 230 kV lines? Also, how much damage was caused by putting capacitor banks on lines and the cost of these repairs? (Tabled October 9, 1980.)

**Hon. Mr. Welch:** Ontario Hydro has purchased 115 kV and 230 kV capacitor banks for use at 16 stations. The installed cost is estimated to be about \$30 million.

During the initial service period of some of the 115 kV capacitors, problems were experienced with the circuit breakers used to switch the capacitors. Internal parts were damaged in two circuit breakers. The cost of repair was covered under warranty by the manufacturer. Coincident with one of these problems, some auxiliary station equipment was also damaged. The damage costs have been estimated at less than \$3,000.

Hydro is not aware of any damage to customer equipment although interruptions to customer service were experienced. Some of the interruptions are described below.

During the in-service checks on the 115 kV capacitor bank at Detweiler TS, there was a simultaneous automatic interruption to Kitchener stations No. 1 and No. 4. The outage duration was about 5 seconds. Also, the initial switching of capacitor banks at Buchanan TS (a major station in London) caused outages of London Highbury TS and London Nelson TS which resulted in customer interruptions lasting a few seconds at Highbury and about 45 minutes at Nelson.

#### WINTARIO GRANTS

**335. Mr. S. Smith:** Which organizations have been approved by the Ministry of Culture and Recreation for grants, either from Wintario or from other departments of the ministry, to permit junior, juvenile, bantam or midget hockey teams from Ontario to compete in Europe in 1980 or 1981? What is the amount of each grant? In which cases have the teams been invited on an exhibition basis and in which cases have the teams earned the right to the trip as a result of a competition? (Tabled October 16, 1980.)

**Hon. Mr. Baetz:** Only one grant has been approved for travel costs of a team as specified in this question, in 1980. No grants for such purposes have been approved for 1981.

The Ontario Major Junior Hockey League applied in November 1979 and a grant in the amount of \$9,215.00 was paid in July 1980 to cover a portion of the travel costs of the Peterboro Petes Junior A Hockey team as Canadian representative to the World Junior Hockey Championship, Helsinki, Finland, December 26, 1979 to January 3, 1980. The Peterborough team was strengthened by addition of several players from other Junior A teams, and was selected as the Canadian representative by virtue of winning the 1979 Canadian championship.

As Wintario noncapital grants criteria for invitational travel have since changed to limit such grants to Canada (1979-80) or North America (current year), no teams have been assisted to European events in 1980.

#### FAMILY BENEFITS

**336. Mr. Blundy:** How many applications has the Ministry of Community and Social Services received from single fathers requesting family benefits under section 8 of the Family Benefits Act in each of the last three years, 1977, 1978, 1979 and up to the month of September 1980? What are the file numbers of all recipients who have applied for benefits under section 8? Were any applications received from people other than single, nondependent fathers? How many applicants have been successful in receiving benefits under section 8 in each of the last three years and in the first nine months of 1980? In each case, how much time elapsed between first application to the ministry for benefits under section 8 and mailing of the first cheque for benefits under this same section? Did all section 8 recipients automatically receive the April 1980 general increase of 10 per cent in benefits and if so did they receive it at the same time as all other FBA recipients? Are section 8 recipients considered eligible for retroactive payments under section 287(19) in the regulations in the same way that all other FBA recipients are and, if not, what ministry guidelines determine eligibility for retroactive payments for section 8 recipients? (Tabled October 16, 1980.)

**Hon. Mr. Norton:** It is not possible to provide the number of applications that the ministry received from single fathers "requesting family benefits under section 8 of the Family Benefits Act," as this information is not kept at present. It should also be noted that most applicants do not "request" consideration under section 8, they apply as permanently unemployables and, if ineligible as such, often our field staff will recommend them for consideration under section 8 due to the special circumstances in the household.

The following numbers of single fathers were granted under section 8 during the last three years: 1977, 2; 1978, 2; 1979, 9; 1980, 1 (one additional case is pending approval).

Applications for consideration under section 8 have been received from applicants other than single fathers. These would have consisted mainly of handicapped children cases, handicapped adoptions, single persons who are not deemed disabled or permanently unemployable and others.

During the last three years, the following total number of cases were granted under section 8: 1977, 199; 1978, \*931; 1979, 267; 1980, 31 (7 still pending approval).

It is not possible to determine how much time lapsed between the first application and



receipt of the first cheque without a detailed review of each file.

Not all section 8 recipients received the April 1980 general increase as rates for some of these people are pre-set. For instance, some cases receive the minimum allowance of \$2.50 per month to enable them to receive drug benefits. Each case was reviewed and adjustments made in accordance with the terms of the order in council. Since each case had to be reviewed individually, not all recipients received the increase at the same time.

Whether or not section 8 recipients receive retroactive payments depends on the individual circumstances of each case.

\*Since January 1979, the handicapped children's allowance program has been formalized in the Regulations. Prior to that date most of these cases had to be granted under section 8.

### VOCATIONAL REHABILITATION

**337. Mr. Blundy:** How many people are at present on the waiting lists at each vocational rehabilitation office run by the Ministry of Community and Social Services? What are the case-counsellor ratios of each office? Has the ministry complement of counsellors in vocational rehabilitation offices increased or decreased in the last year and, if so, by how much? When waiting lists exist is there any ministry policy in place to assess and provide for the needs of those most in need? (Tabled October 16, 1980.)

**Hon. Mr. Norton:** The following is a list of the numbers of persons on the waiting list for vocational rehabilitation services as of October 1, 1980.

### SOUTHEAST REGION

Number of persons on the waiting list as of October 1, 1980	
Office location	
Peterborough	37
Lindsay	20
Cobourg	2
Oshawa	88
Kingston	14
Belleville	97
Ottawa	104
Renfrew	8
Pembroke	10
Cornwall	42
Brockville	5
Perth	4
Hawkesbury	22

### SOUTHWEST REGION

Number of persons on the waiting list as of October 1, 1980	
Office location	
London	172
Hamilton	120
Brantford	12
Oakville	32
St. Catharines	19
Waterloo	33
Cambridge	28
Guelph	22
Owen Sound	5
Windsor	5
Chatham	16
Sarnia	10

### NORTHERN REGION

Number of persons on the waiting list as of October 1, 1980	
Office location	
Thunder Bay	35
Keewatin	4
Sudbury	104
Sault Ste. Marie	47
North Bay	51
Timmins	21
Kirkland Lake	14

### CENTRAL REGION

Number of persons on the waiting list as of October 1, 1980	
Office location	
Mississauga	68
Aurora	29
Barrie	42
Northwest Office—Toronto	126
Southwest Office—Toronto	99
Southeast Office—Toronto	67
Northeast Office—Toronto	76

Information regarding case-counsellor ratios is not collected and therefore is not readily available. The number of persons served over a given period of time is thought to be more reflective of activity.

The following information thus represents the average number of persons served per counsellor within Ministry Area Offices during 1979-80.

Data on average number served per counsellor are not collected on a local office basis

for provincial purposes due to the influences of local conditions. These influences include, travelling time required to provide service, local resources available, and staffing vacancies.

Ministry area offices	Average number of persons served per counsellor during 1979-80 fiscal year
Thunder Bay	65.1
Sudbury	71.5
Timmins	60.2
Ottawa	87.1
Kingston	91.9
Peterborough	96.0
Barrie	89.3
Toronto	84.4
Hamilton	73.0
Waterloo	62.9
London	69.7
Windsor	81.8

The ministry's complement vocational rehabilitation staff did not increase during the period April 1, 1979, to March 31, 1980. However, in July 1980 the following contract staff were hired: 11.5 to provide service to applications for children with specific learning disabilities; 5.5 to reduce the number of persons waiting for service.

Ministry policy is to give priority to applicants requiring "restoration services," that is, assistive devices (a copy of this policy is attached). Other applications are usually dealt with in chronological order. This is considered to be the most equitable approach as it is not possible to determine an individual's needs before an assessment has been undertaken with a counsellor. Area offices may, however, modify this policy when it is felt to be appropriate to local conditions.

Restoration general; referral: The time factor involved in providing medically prescribed goods and services is critical. For this reason applications for restoration services should be taken within one week of the referral being received.

New referrals (excluding reopens) should not be accepted for service under an estimated cost of \$50. Referrals should not be accepted for eyeglasses when this is the only service required, unless this is for unusually expensive lenses (such as those for cataracts).

The vocational rehabilitation services policy and procedures manuals have been distributed as follows: legislative library; reading rooms in the northern regional office, and Sudbury, Hamilton, Kingston, Windsor, London, and Waterloo area offices; ministry staff in all offices as appropriate; Social Assistance Review Board; Provincial Secretariat for

Social Development; Attorney General's office; federal representative; Kingston General Hospital; Office of the Ombudsman.

#### TEACHERS' SUPERANNUATION

339. Mr. Van Horne: Will the Minister of Education indicate how many superannuated teachers have had a downward revision in their pensions during the past five years because of overpayment? Will the minister provide a list of the names of these teachers? Will the minister indicate how these revisions are calculated? Will the minister indicate how the superannuation commission distinguishes between its policies in establishing the amounts of pension payment and policies of local boards in paying some of their employees final year payments or lump sum payment for services rendered? (Tabled October 16, 1980).

Hon. Miss Stephenson: During the period September 1, 1975, to the end of October 1980, there have been 1,724 recalculations of pension. The commission does not have statistics on the breakdown of upward or downward revisions, but by far the majority of these recalculations are upward because they result from retroactive salary adjustments. Recalculations also occur because of an incorrect report by the employer on service and/or salary. In order to determine whether they are a revision upward or downward it would be necessary for us to pull every file manually and read the file.

The actual names of the persons involved could only be released on written authorization of the persons concerned. It is commission policy to protect the confidentiality of its files.

Since the majority of recalculations come about because of retroactive salary adjustments, incorrect information from the employer on the service and/or salary, the pension is calculated using the correct service and salary in accordance with the terms of the Teachers Superannuation Act.

If the employer pays a retroactive salary adjustment, then this is a lump-sum payment for services rendered. If the employer pays a lump-sum payment as a retirement gratuity or as a retirement incentive, then this is not a payment for services rendered. The former is included in pension calculation, the latter is not.

#### BRAMPTON PICKET LINE INCIDENT

345. Mr. Mackenzie: Will the Solicitor General table the report of the Ontario Police Commission which he requested and



which formed the basis of his response of October 6, 1980, to my letter concerning the Peel Regional Police activities during the Maple Lodge Farms strike? (Tabled October 16, 1980).

**Hon. Mr. McMurtry:** The draft reply to Mr. Mackenzie prepared by the chairman of the Ontario Police Commission served as the commission's report to me.

### WCB CLAIM

**346. Mr. Warner:** When will the Workmen's Compensation Board stop persecuting Mr. Archie MacFarlane, claim C4624999? After 15 operations, including the latest a tumour being removed from a lung and the family facing having to sell their home, will the WCB guarantee that Mr. MacFarlane will receive a permanent total disability pension at a 1980 income rate? (Tabled October 16, 1980.)

**Hon. Mr. Elgie:** Compensable injuries: Right inguinal hernia and hiatus hernia sustained December 2, 1959, while employed by Thornpress Limited as a linotype operator.

Permanent disability assessment: 1965, three per cent pension, lump sum paid in full; 1969, increased to 18 per cent pension, paid monthly; 1975, increased to 25 per cent pension, paid monthly; 1976, 25 per cent pension reconfirmed.

Rehabilitation activity and benefits: Mr. MacFarlane has been involved with rehab. since 1973 in continuous retraining and job placement and since August 1, 1977, has been receiving benefits under section 53 as well as his monthly pension.

Section 53: "To aid in getting injured employees back to work and to assist in lessening or removing any handicap resulting from their injuries, the board may take such measures and make such expenditures as it may deem necessary or expedient, and the expense thereof shall be borne, in schedule one cases, out of the accident fund and, in schedule two cases, by the employer individually and may be collected in the same manner as compensation or expenses of administration."

Under this section he is receiving compensation at the rate equal to or greater than his temporary total benefits. As long as he is co-operating with the voc. rehab. division, he is entitled to such benefits. He has also received benefits under 42(5) when section 53 could not apply.

On September 17, 1980, he informed his rehab. counsellor he was entering hospital on

September 21, 1980, for possible surgery for a non-compensable condition and the counsellor implemented termination of his benefits as of September 21, 1980, without informing him. This, in fact, was an error as the WCB practice normally allows benefits when a claimant such as Mr. MacFarlane has remained on ongoing benefits. Since this was considered a short-term hospitalization, no significant interruption in his rehab. planning was anticipated so his benefits should have been left undisturbed. Once the error was identified, the benefits under section 53 were resumed commencing September 22, 1980, until November 21, 1980, on an interim basis. A cheque was delivered to Mr. MacFarlane's home on October 23, 1980, with a letter of apology.

It is anticipated that during the interim period a rehab. counsellor will be in touch with the claimant to further discuss retraining and benefits. If it is established that Mr. MacFarlane can continue in rehabilitation, it is likely benefits will continue.

Conclusions: 1. Mr. MacFarlane's condition, which required surgery, is not compensable as it is unrelated to his compensable injury and he is aware of this.

2. The WCB cannot guarantee Mr. MacFarlane will receive a permanent total disability for a condition other than one which is compensable. His present 25 per cent pension recognizes his residual disability from his compensable accident of December 2, 1958.

3. Mr. MacFarlane has been advised by the board as of October 23, 1980, regarding his present status. Interim benefits under section 53 have been authorized until November 21, 1980, and his entitlement will be re-evaluated by his rehabilitation counsellor in the future.

4. The WCB will endeavour to continue to offer rehab. services to Mr. MacFarlane and make every effort to accommodate him within the meaning of the WC Act.

### REED CAREER SERVICE

**347. Mr. Van Horne:** Will the Minister of Education indicate whether or not the Reed Career Service, which is at present advertised through Howie Meeker on television and in newspapers, has Ministry of Education approval for use in elementary and/or secondary schools in Ontario? Will the minister indicate what checking has been done on the accuracy of the information presented through the Reed Career Service? Will the minister also indicate, in light of this commercial competition, whether or not

the student guidance information services will continue to be part of the ministry's educational services program? (Tabled October 17, 1980.)

**Hon. Miss Stephenson:** Resources and support materials purchased for use in the schools of Ontario do not require approval of the Ministry of Education. As a consequence, the videotapes available from the Reed Career Service have not been submitted for approval. The purchase and use of such material are decisions made by local school officials.

Nevertheless, the ministry has reviewed some of the 138 videotapes produced by the Reed Career Service and the tapes reviewed appear to be accurate and up to date.

It is our assessment that the career tapes provide for students good descriptions of the career areas depicted. The series does not compete with the student guidance information service and SCIS will continue to be part of the ministry's educational services program.

#### SCHOOL BUS BRAKING SYSTEMS

**350. Mr. Isaacs:** Does the minister have a response to the oral question concerning the safety of older models of school bus braking systems in the event of engine failure which I put to him on June 5, 1980, and to which I have not yet had the promised further reply? (Tabled October 20, 1980.)

**Hon. Mr. Snow:** The oral question to the minister on June 5, 1980, referenced a school bus accident which occurred on May 31, 1980, near the town of Ancaster. The subject question further referenced "the whole matter of the braking systems on school buses."

The school bus accident: The 1971 model Travelways school bus involved in the single-vehicle accident had a passenger load of 60 children and six adults. The driver was Wilma Groen. The bus stalled on a grade after reaching a full stop at the stop sign. After the driver attempted to restart the engine several times, the service brakes failed to hold the vehicle in a stationary position. When the bus began to roll backwards, the driver applied the parking brake, but this was not adequate to bring the vehicle to a stop. The bus continued to roll backwards several hundred feet before entering a 4½-foot-deep ditch, at which point it reached an abrupt stop.

Subsequent inspection and testing by police mechanics and MTC vehicle inspectors revealed that the service brakes

were performing properly. Their failure to hold the vehicle was likely due to loss of vacuum boost resulting from repeated application, while the driver attempted to restart the engine. The parking brake, when tested by police mechanics after the accident, was found to be inadequate. This was due to improper adjustment of the brake.

It appears that the driver erred in not applying the parking brake immediately after the engine had stalled and before attempting to restart the engine. Although the parking brake was not totally adequate, it would have held the bus stationary in the first instance.

According to county records, the first 25 feet of road before the said intersection is flat. The next 75 feet has a 13.66 per cent grade. The next 100 feet is 10.24 per cent and the next 100 feet is 7.28 per cent. Immediately thereafter, the road flattens out. When the vehicle stopped at the intersection, the rear wheels of the vehicle were on the grade. Indications are that routing on this road is avoided for regular school transportation because of the hill.

"The whole matter of braking systems on school buses": The ministry has conveyed concern to the federal Minister of Transport respecting actual standards for school buses. In response, our federal counterparts have indicated a desire to embark on a co-operative effort to upgrade the federal school bus brake standards.

New hydraulic brake actuating systems are now on the market and are beginning to appear on new school buses. They deliver up to 30 per cent more stopping power. One of these, involving hydraulic boost, has a back-up electric pump which produces roughly half the stopping power of the main system. It automatically takes over whenever the main hydraulic boost is interrupted, as happens when an engine stalls or a pump drive belt breaks.

Next month, staff from MTC will be attending the 1980 Society of Automobile Engineers' national truck meeting in Pennsylvania. Panelists, who are experts from brake and truck manufacturers, will be describing and discussing the new actuating systems designed for use in school buses and medium duty trucks.

Steps are being taken at both the federal and provincial levels to ensure that new school buses are being built with effective and reliable brakes and that they will continue to be upgraded as new technology develops. Through the school bus inspection and driver examination and control pro-



grams, the ministry is making every effort to ensure that existing buses are maintained in safe condition and driven with due care for the protection of our children.

#### FRENCH-LANGUAGE EDUCATION

**225. Mr. Cassidy:** Will the ministry provide for every program or project to encourage French-language education or usage mentioned by the Minister of Education in her legislative address on May 8, and for each year since 1974: 1. The amount of funding provided by the province, the amount provided by the federal government, the amount provided from other sources, and the total cost of the program; 2. the number of students enrolled in each program; 3. the number of school boards participating in each program? (Tabled June 3, 1980.)

See sessional paper 264.

#### SOCIAL ASSISTANCE REVIEW BOARD

**237. Mr. Blundy:** Would the Minister of Community and Social Services make available curriculum vitae of all present members of the Social Assistance Review Board including details relating to political party affiliation in cases where members have freely claimed such affiliation? (Tabled October 10, 1980.)

See sessional paper 265.

#### CANADA ASSISTANCE PLAN

**338. Mr. Blundy:** In each of the last five years, how many applications have been made by the Ministry of Community and Social Services to the Canada assistance plan to receive cost-shared funding? How many of these applications have been completed and how many are still pending? What is the amount of funding requested for each application? Has there ever been more than one ministry person directly responsible, in a full-time capacity, for processing these applications? (Tabled October 16, 1980.)

See sessional paper 266.

#### STATISTICS ON NORTHERN ONTARIO

**357. Mr. Foulds:** Will the minister provide the latest estimates available on the following: 1. The total population of northern Ontario and the total population of each district; 2. the size of the work force in northern Ontario by district and the total northern Ontario work force; 3. the labour force participation rate for women and young people in northern Ontario by district and the total for northern Ontario; 4. the net migration out of northern Ontario by district and the total for northern Ontario for each year between 1966 and the present? (Tabled October 21, 1980.)

See sessional paper 267.

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, October 30, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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THURSDAY, OCTOBER 30, 1980

The House resumed at 8:01 p.m.

## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consideration of the report of the select committee on constitutional reform.

**Mr. MacBeth:** Mr. Speaker, on Tuesday of last week I had the pleasure of presenting to this House the report of the select committee on constitutional reform. At that time I requested that it be taken under consideration by this House at an early date and I am pleased that the House leaders and the House in general have done it so quickly.

It is, of course, a matter of very current concern, as it was all summer long. I hope our deliberations this evening and perhaps next Thursday evening will do something to verify the position as far as this House is concerned. In other words, I hope it will be a good exercise for all of us.

I would like to take some time this evening to consider the report of the select committee on constitutional reform. The committee's genesis was in the debates held in this House last May, prior, of course, to the Quebec referendum. Because of my duties in the chair, I refrained from participating in the excellent and reassuring series of talks that were given at that time.

However, as early as 1972, I spoke on this subject during a throne speech debate where I stated, in part: "The good of our country depends upon recognizing our differences and providing each province the financial means and independence to control its own destiny within the bounds of constitutional responsibility. Ottawa's largess for frivolous programs, on its terms, and without concern for provincial priorities, must be replaced by unconditional grants or the surrender of some share of its present taxation. I hope that our government will work to that end."

Those were words that I said in 1972. Since that time there has been some surrendering of tax points and the provinces have gained one or two.

My personal inclination is towards strong provincial rights, for I believe that in the

long run this will give us our strongest Canada. I am no less a Canadian because I believe the diverse interests of our country can best be served in this way. I believed then and I believe today that our constitution is not in need of radical change but adjustments and updating are necessary.

I spoke of the encroachment by the federal government through the power of the purse on fields of exclusive provincial jurisdiction and how, in my opinion, that had done harm to Canadian harmony by attempting to cast in a common mould the diverse aspirations of a large nation with different cultures and different economic needs. This financial aspect of our national experience was touched on only slightly by our committee and remains to be one of the topics that we still hope to examine.

The course of events left our committee one inning behind and during the summer we were therefore forced by circumstances to play catch-up ball. The main action and focus of attention was with the first ministers. Because they had decided to study certain topics we followed their lead, and it is on those topics our committee has reported.

As provided in our mandate, we made interim reports on our positions which served as a basis for discussion as we subsequently exchanged views across the country. I might say that occasionally those interim positions got us into a little trouble and, on a few occasions, we did change those interim positions. So if any of those are floating around and they are inconsistent with our report, that is the reason.

We did adopt that as interim positions. I, as chairman, sent copies of them to the Premier (Mr. Davis) as he entered his high-level debates. I am sure he was guided, in great part, by the deliberations we made. Unfortunately, some of our views changed and maybe some of the views of the Premier changed with us.

I may be attributing to the work of the committee greater importance in that regard than I should, but I do say we presented these interim reports so that at least the Premier would know what was happening. We did have the advice of at least three

ministers of the crown as we carried on our deliberations. The Minister of Intergovernmental Affairs (Mr. Wells) was with us, as was the Attorney General (Mr. McMurtry) and, of course, the Premier.

We had some help from the opposition as well. The member for Lakeshore (Mr. Lawlor) had done a great deal of work on putting together a comparison of the various papers that were put out in advance on the constitution. He was with us, and we had an enjoyable time with him and a very informative time too.

On presenting our report to this Legislature, I paid tribute to our excellent staff. I now express my personal appreciation to the individual members of the committee for the sincerity and diligence with which they laboured. I say this because, without criticism of any individual, I was somewhat disappointed with the end result of our report.

It was the laudable wish of all to arrive at unanimous positions. We recognized compromise would be involved. We had hoped, thereby, to set an example and prove that reasonable people of varying political stripes, but all of goodwill, could reach agreement on the constitution. In that way, we might express some leadership to the first ministers themselves. For the most part, this was achieved.

On the two major points of national concerns, language rights and utilization of natural resources, our compromise position, in my opinion, defeated our ability to give this House the leadership I had hoped we could achieve. In this sense, I express a personal disappointment with our results.

I may say that from time to time this evening I will be speaking in a very personal sense. Perhaps I should not do so as chairman of the committee, but we did, as the honourable members know, have an introduction to our report which said it was a compromise position and each member had different personal views. I am hoping all the members of the committee, as they rise in turn to speak on this debate, will express their personal views because, as I say, the education of all of us will best be formed by their so doing. So, as chairman, I make those early remarks and I apologize to members of the committee for so doing, but I think they will all understand why.

The report's introduction refers to a general distrust of Ontario. This is the usual and traditional role that accompanies size and success. In Canada, that lot falls to Ontario. In Ontario, it falls to Toronto. During my wartime naval service, a common refer-

ence to Toronto was "that built-up area back of Eaton's." That is the way they referred to it and, I suppose, in that sense of knocking us down, it continues today. So, in that sense, little has changed.

However, in Alberta, I did experience a little change in the traditional attitude to which I have just referred. We exchanged views in seven of the 10 provinces and in the Yukon. In effect, we invited ourselves to these other jurisdictions. If, in some cases, our original overtures were not greeted with enthusiasm, it had best be remembered we asked for attention at our convenience and at a time when our travelling show was not regarded as the feature attraction of the day. The hospitality and courtesy extended to all of us at all points—I include even those points where we received very sharp criticism—by all governments and private bodies was most generous and we greatly appreciated it.

8:10 p.m.

I have referred to a change of attitude in Alberta. I do so because I believe it essential to an understanding of our constitutional dilemma. The sharpness and intensity in their attack on Ontario's position is considerably beyond the traditional attack to which I have referred as a national pastime. Some people say that is the only thing that keeps Canada together—their dislike of Ontario and their dislike of Toronto. I think that is the role we have to play with grace. However, there is a certain sharpness and intensity I noticed in Alberta that went beyond the traditional.

I noted among the legislators a certain temerity in expressing opinions or taking positions other than that of their Premier. I also sensed a touch of vindictiveness, not unlike a youth overly impressed by his newfound strength and independence. I will return to this when mentioning natural resources because I feel some of Alberta's attitude is justified.

The committee was cheered by the warmth of our reception in the Yukon. The grandeur of the land, the enthusiasm of its people and the breadth of opportunity showed us the promise that could be Canada's if we could only get our act together.

I turn now to our various recommendations. They have been reasoned recommendations and I think they are workable solutions. But in putting them forward, the committee does not regard them as the only solutions and suggests in the spirit of trying to show workable solutions can be arrived at, that is what we have done. I do not think any of us would suggest they are the best possible



solutions, but they are workable; they are reasoned; and we think they are practical.

I do not intend to read all items as we come to them but if any of you have the report in front of you, the preamble will be found on page one—as I suppose any preamble should be found. We suggest it should begin with words expressing confidence in our future, pride in our heritage; then we go on to suggest a list of other things that might be included in it. I think it is desirable to have a preamble. Perhaps it will be the only part of the constitution with which future school children may become familiar; that seems to be the case in the United States. Many of the school children there can quote the preamble of the United States constitution. So we attach some importance to it.

However, other than to set out a few ideas, we did not undertake to draft it. We felt that should be done by the federal government, commissioned by them. It should be composed perhaps by a visionary and perhaps a lyricist. The name of the member for Lakeshore came up. I am not sure it was unanimously accepted in this context, in any event, but it requires some Irishman who has that gift of lyricism. But that is the job of the federal government.

We have set out some references that the preamble might include. I draw attention to a commitment to maintain the monarchy. This is a commitment strongly held by me. In a contracting and turbulent world, I know of no more dignified, stabilizing or unifying symbolism to reach out beyond the bounds of self-centred nationalism.

Canada has been well served by the British monarchy. I want to make a comment in regard to Quebec's attitude. We sometimes think Quebec is getting everything its own way but there is a certain courtesy among its people. They realize how dear our attention to the monarchy is in this part of the country, not only in this part of the country but to some people in Quebec themselves, although I think the monarchy, to most Quebecers, does not mean as much as it does to those of us of some sort of British background.

However, they are courteous in that they have not pressed at any point the suggestion that part of our heritage should be abandoned. The courtesy they are extending to us is worth recognizing because it is not part of their heritage particularly. Although they have benefited greatly from their association with the British crown, it doesn't have the same meaning for them as it does for those of us with British backgrounds, but I say they are

recognizing that and I think are quite happy to accept that without argument. That was not a point in our discussions, unless it was done in a private manner.

The matter of patriation: It is no insult to my pride that our constitution lives at Westminster. It is a safe and a dignified address. I realize, however, that to the vast majority of Canadians this denotes colonialism and lack of maturity. They wish to have authority over the amending power in Canada and, of course, over the entire constitution, and I recognize the strength and logic of this position. This was adopted wholeheartedly by our committee and we certainly agree with the matter of patriation.

On an amending formula: I hope some of the other members of the committee will comment on our proposals for an amending formula. A formula is necessary, and to reach one, concessions need be made. The Victoria formula was acceptable to the committee. It caused us some embarrassment in Alberta, in justifying why Ontario should in perpetuity enjoy a veto simply because at one time it had enjoyed 25 per cent of the population. I believe this to be a reasonable safeguard for Quebec because of Quebec's minority interest. I do not believe it is unreasonable for Quebec to have that veto, but I do not believe it is required for Ontario.

However, I wonder if the people of Ontario are prepared to give to Quebec a greater right in this regard than they themselves enjoy. I think probably that is not politically so, and that to do so would probably be politically unacceptable. I think Quebec has a need of that veto, or at least it thinks it has a need of that veto, and I don't think we could substantiate it for Ontario in the same way. In a sense it became a bit of an embarrassment trying to justify why one of the partners in Canada should have this veto and Alberta should not.

The committee avoided this concession by changing the traditional four regions of Canada by making British Columbia into a fifth region. It has virtue in recognizing the west's growing population and financial importance. It may be an acceptable compromise and I think one well worth studying. To bring the constitution home without a formula for amendment would perhaps encase it in cement and remove the traditional flexibility that British constitutions have enjoyed over the years.

In regard to the charter of human rights and freedoms: At present some are written and some are traditional, but none is any more secure than the spirit and will of the majority of people to abide by it. If this

spirit is absent, the most profound and engraved ideals mean nothing.

The committee reviewed the arguments for entrenched rights. Entrenched rights look to the courts as their guardians, as opposed to nonentrenched, which look to the legislatures as their guardians. We well understand and appreciate the arguments, both pro and con, and both sides do have their advocates. We settled for some basics, many of which will already be found in our Canadian and Ontarian bill of rights. A restatement of these can do no harm. None of them is any stronger than the will of the people to keep it.

Personally, I might wish for a similar section on entrenching basic responsibilities. I think we in Canada accept our rights as rights, but we forget that with every right there is attached a responsibility. It might be an idea, some time, in some constitution, to put in an entrenched section on responsibility. However, the committee did not recommend that.

Language rights: This is one of the two subjects that troubled us the most. To my mind, it is one of those points where we fail to give the leadership expected of us.

The resolution establishing our committee appealed to all Quebecers to join with other Canadians in building this national constitution. I think Quebecers were the only people of a province who were mentioned in the resolution. We were at that same time to make recommendations towards the achievement of a new constitution for Canada that would satisfy the diverse aspirations of all Canadians.

8:20 p.m.

That was our commission—to satisfy the diverse aspirations of all Canadians. Those sentiments expressed prior to the Quebec referendum were brave and heady, but now that Quebec has responded we seem to have forgotten our suggested promise to recognize diverse aspirations.

To take us back to those debates and one or two quotes from the Premier of May 9: "I said in Quebec last week, as I have said in this province on many previous occasions, we are striving to have a situation here in Ontario where French-speaking Canadians can pursue their own cultural and educational activities in a fashion that fully responds to their desire for cultural vitality and cultural opportunity. As long as it is my privilege to serve as Premier, we shall continue to push ahead with efforts in that direction."

Another one. "We shall protect minority rights in this province whatever the result on

May 20. I want to make that clear. We shall do so in the context of our overall community, one that, while largely English-speaking in its base, is also one with a growing multicultural aspect to it, and one which has not only tolerance but also concern and positive interest in minority language rights." That of course went further than just anglophone and francophone rights.

Again: "In spite of that tradition, in spite of what the facts may be, I believe in that statement made by the government of this province and the commitment we have given to entrench in the constitution this right. It is fundamental in terms of preservation of language and culture."

That is the end of my quotes from the Premier, I believe some of us have overlooked the leadership given by our Premier in this regard. I think we are doing most of those things and some of us seem to be afraid to recognize those things we are doing. I think to give a little leadership we might have been able to extend a little further the recommendations of what we are doing. I know the political pitfalls in it and I know that some of the supporters of the Conservative Party, and I suppose supporters in other parties as well, have been critical that we have gone as far as we have. But I think it is essential that we recognize and remember our implied promise to Quebec and recognize the leadership the Premier of this province has given in this regard.

No country can divorce itself from its own history. Canadians have no reason to do so. Half a continent from the valley of the St. Lawrence to the valley of the Mississippi, from Hudson Bay to the Rockies, was explored and opened by Champlain, Nicollet, Brulé, LaSalle, Jolliet, Marquette, Radisson and Groseilliers and La Verendrye. Some of us might take time to reread the exploits of the Le Moyne brothers and how they left the St. Lawrence in 1685 and threaded the streams of the Laurentian range to the shores of Hudson Bay to capture trading-company outposts on James Bay.

This is our history, the history of where we now stand. We should not deny it. Where we stand today was originally discovered, at least as far as Europeans are concerned, by people who spoke the French tongue. However, when I say we should not deny it nor forget it, neither should Quebecers forfeit their inheritance west of the Ottawa.

Above Dufferin Terrace in Quebec City stands one monument rather rare in that it pays a common tribute to two opposing



generals, Montcalm and Wolfe. To me that symbolizes the spirit we need today. For us in Ontario to deny the achievements and the heritage of a third of our population is, to say the least, unfair—not only to them, but also to ourselves. We cannot deny their culture, their language, their aspirations and hope to keep Canada “*a mari usque ad mare*.”

Quebeckers must not be prisoners in their own land, self-imposed as those barriers may have been. Their country must not stop at the boundaries of Quebec. They must feel at home in the rest of Canada. The least we can assure is equality in our parliaments, equality in our courts, equality in our culture and equality in our language.

Our recommendations on language rights do not go far enough, at least in my mind. None of us should ask for impractical applications or applications that are going to cost more than the reward in return or what they will achieve. So I say none of us should ask for impractical applications, but all of us should go the extra mile in giving just recognition.

Let us remember the other side of the coin. Each of us has a heritage in Quebec. I personally have many happy memories of my times in that province. I first travelled there in the early 1930s, visited the north shore, tripped around the Gaspé and the eastern townships. I have even been up to Ungava and Fort Chimo. A little more personal still, I met my wife while skiing in the Laurentians and subsequently we enjoyed a honeymoon there—rather successful in that we are still living together. I want to be assured of my continuing rights as an English-speaking Canadian in that part of my country.

Minority language rights for other ethnic groups: To this recommendation, I personally am reasonably well satisfied. I know, however, that the members for York West (Mr. Leluk) and for Downsview (Mr. Di Santo) have some strong personal views and I hope they will speak to them.

On native language rights and the native picture in total: I know of no more complicated issue than the rights and status of our native peoples. The concept of a nation within a nation is difficult for me to grasp. I am quite ready to try to understand it but, as I say, I have some difficulties with it. Our native people wish to enjoy and should enjoy the benefits of modern society—health care, education, transportation and communication, and certainly a secure environment.

Sometimes their traditional life seems to create conflict and the benefits of modern

society cannot be obtained without some of the burdens that accompany them. The matter is in need of much continuing study, in need of empathy and understanding, and the committee has only made a beginning.

Equalization: The committee recommends that Parliament and the legislatures of Canada commit themselves in continuation to: promoting equal opportunities for the wellbeing of Canadians; furthering economic development to reduce disparity in opportunities for individual social and economic wellbeing; providing essential public services of reasonable quality to all Canadians.

We realize that is being done, that it should continue to be done, but also that it requires financing to do it, and that is one facet where we realize the federal government has to have a broad taxing power. Such payments, of course, are a fact of Canadian life and, indeed, serve a worthwhile purpose. The principle should be recognized and better formulas developed.

In regard to the Senate, the Senate has been the traditional whipping boy of Canadian politicians until, of course, they are called there. Our study showed that most federal jurisdictions have a Senate and that in Canada less-populated provinces place greater reliance and emphasis on it than we do in Ontario. Ontario's strength is in the House of Commons. For a variety of reasons we believe that Ontario can and should make concessions as to its numerical representation.

Quebec regards the Senate as a partial protector of its minority position. We in Ontario do not have that threat or do not think we have it. We perhaps do not need the same strength in the Senate that some of the smaller places do and that Quebec thinks it does, and I think we should be ready to make concessions in that regard. It may be pretty difficult to sell that to the citizens of Ontario, but perhaps it is worth a try.

We also recognize that the Senate performs many useful purposes, and we suggest where these functions could be enlarged. The Senate does deal with federal legislation and, therefore, the federal government properly makes appointments to it. However, in that we see the Senate as a protector of provincial rights and as a provincial voice at the federal level, we suggest half of the Senate seats should be appointed on recommendation of the provinces.

In regard to the Supreme Court, I trust the member for Riverdale (Mr. Renwick) will spend some time discussing this, but again

we have suggested that we should not have any special constitutional court for a variety of reasons. In the first place, we hope there will not be that much work for it. But we do suggest, because again we expect Quebec to look to the court as a protector of its minority rights in the constitutional position, it should be slightly weighed in Quebec's favour. I hope that is a concession Ontario would be prepared to make.

8:30 p.m.

Powers over the economy: I think we had some of our best discussion on this, particularly as we travelled in other parts of the country. Section 121 is short and I will read it so we can all know it: "All articles of the growth, produce or manufacture of any one of the provinces shall, from and after the union, be admitted free into each of the other provinces."

That, of course, is what a country is all about. The federal government subsequently proposed we go a little further and make that into the free movement of people and currency, so there is completely free movement which, again, is one of the advantages of belonging to a country. The committee, however, recognizes that many legitimate reasons exist for economic discrimination, whether it be for Newfoundland to ensure employment for its citizens, Prince Edward Island to protect its land from absentee ownership, or Saskatchewan to give priority to its native population. Ontario also has been known to favour industry within its boundaries and to define areas of special economic assistance. In fact, the whole subject of marketing boards might come under scrutiny in this regard.

The benefits must be weighed against the national interest. No hard and fast lines can be drawn and each scheme must be individually judged against the general concept. There is an ongoing need for experienced discretion and political judgement, and perhaps here is a role for the Senate to perform. We looked at it and decided this was going to go on for some time; it was not a passing thing. These conflicts will always be there as long as we have a living country. It is not a matter for the courts; it is a matter for political judgement. So we have suggested there is a possible function that a Senate or some body of political wisdom, as well as overall interest, such as the Senate would represent, should take on as its task.

Natural resources and trade: I have spoken of the animosity in the west which, in my opinion, is in part justified. Until recently, each of the provinces has been free to treat

its natural resources as it saw fit. Ontario has enjoyed this position by socializing its hydro power and permitting the private sector to develop its mineral and timber wealth, with the exception of uranium, to which Ontario made little objection.

We have chosen our course without federal interference. Great wealth has been accumulated here both in the value of the assets owned by Ontario Hydro, by industry and by financial institutions headquartered here. Looking at our banks, looking at the many industrial organizations with headquarters here, we have certainly accumulated a great deal of wealth in Ontario, as they have done also in Quebec.

I do not know why Quebec does not come in for some of the animosity that seems to attach itself to Ontario. It is Ontario that gets it and not Quebec, although the complaints other parts of the country have against Ontario, in my mind, apply equally to Quebec. Somehow Quebec has got out from under.

The east has certainly gathered a great deal of wealth. Hydro has been exempt from federal tax. Other industries and financial institutions have been subject to it. Along come oil and gas and we say they are different, to my mind an argument without foundation. Ontario with all its wealth seems to be saying now, "We want to slake our thirst with your beer." Naturally, this is resented in the west and has all the potential for being resented in Newfoundland as well as Nova Scotia.

It is the last sentence of the note at the foot of page 20 that disturbs me. That note reads: "The rate of price increase, however, must be tied to an appropriate agreement on the fair distribution of energy revenues in a fashion that respects both producers' rights and the broad economic interest of all Canadians." This note was inserted late in our deliberations.

Up until then I thought our committee had a contribution to make as to the aspirations of Alberta and Saskatchewan by recognizing their outright ownership of their natural resources. I do not know what is so different about energy revenues as opposed to mining revenues or industrial revenues, and I think our position can reasonably be resented. We have done little to divest ourselves of the image of greedy Ontario, or to permit other areas of this country to accumulate some wealth as we ourselves have done in the past.

On a political note, I am sure many westerners blame the economic self-interest of



individual Ontarians in the rejection of the 18-cent-per-gallon gasoline increase and for defeating the only federal government in which they had a strong voice for some years.

I know my personal position on this matter is somewhat different from that of my party. The party, of course, believes that gas and oil are different. I have difficulty accepting that. My thought is that the wealth of one part of the country is the wealth of the other part of the country. Certainly Ontario has shared its wealth over the years, and indirectly, I am sure, we will benefit by any accumulation of wealth in Alberta, whether it is taxed in the first course or the second course. The wealth of one is the wealth of all.

Certainly our committee has taken the position that the federal government as well as the provincial government have two rolls of taxation, both direct and indirect, and that once the asset enters the field of commerce—not to be taxed as long as the province owns it—then it should be subject to tax. I think that is all the assurance we have.

Alberta should be able to do what it wants with its own oil and its own resources. I don't know what the Premier of that province is saying at this moment; we may find tomorrow morning that I will regret making that statement tonight.

We also have to go to world prices for oil, and the sooner we get there the better it will be. Most of us realize that at the present time Canadians are importing about a third of their oil and paying world prices for it. The beneficiaries at that price are non-Canadians. In other words, it is the off-shore people we are purchasing it from who benefit and we are only penalizing our own people by not letting it go to world price.

In the meantime, people who are drilling for oil or wish to drill for oil are certainly not coming into Canada where they have a limited ability to charge. If they have to spend that money, they are going to go where they can get world prices and this is what is happening. If we want to find oil in our own country we had better be realistic and go to those world prices.

I would like to quote from two people we dealt with from the Independent Petroleum Association of Canada when we were out in Alberta. This has more to do with what Mr. Lalonde is at present proposing but I think it is worth while quoting from what they said:

"If Canadianization means greater participation by Canadians as shareholders, then I think Canadianization that is advanced in the positive sense instead of the negative sense is very important." I am quoting a Mr. Frost.

"I think the Conservative budget of last year was going in that direction, encouraging Canadians to invest. If, on the other hand, the thing is done in a negative way by penalizing people because they are not Canadian, we are going to discourage what we need because it is clear that the massive investment necessary for the next 10 to 20 years will require foreign investment."

Mr. Milner said, "I think it is illogical and I will give you an example: Petrocan bought out Pacific Petroleum from Phillips and sent \$2 billion out of the country. The oil is here; it is being produced; the provincial government controls it; the federal government controls it. If there was a national emergency or any one of a hundred things, we in the industry really have nothing to say about it. So we sent a couple of billion dollars down to Phillips which will promptly be reinvested in some place else in petrochemicals or something and kill you in the marketplace. That did not find a barrel of oil or a thousand cubic feet of gas.

"If his Canadianization is to tax the Canadian people to buy out existing industry, then it is a complete waste of time. If he is talking about Canadian taxpayers' money to find a new source of supply, that at least is a credible thing to my point of view."

8:40 p.m.

We have to come to some practical answers to the matter of oil pricing and our committee recognized that. That is one of the basics; we must look for oil and find it or some substitute for it here. At the same time, the sooner we get to world prices, the sooner we are going to be able to do that. But in the meantime, there is little point in buying out foreign oil companies and thinking we are increasing our source of energy by so doing.

So, Mr. Speaker, I have made my comments on many sections of our report. I hope others will enlarge and cover those I have not touched. It was a hard-working, rewarding and interesting summer our committee has spent. Much yet remains to be done and we have set that out in a heading, "The Task Ahead." I hope the House will authorize us to sit again next recess to carry on our study; I believe it will be worthwhile.

In the meantime, I wish to congratulate the stand taken by the Premier in endorsing

the objectives of the proposed federal Constitution Act of 1980. There has been much criticism of the Premier in this regard and I stand accused by my own party supporters in my riding who have sent a critical note to the Premier. I am waiting for them to read this report, whenever it may be published, because if they are critical of the Premier, I am sure they will have twice as much reason for running me out of the riding after they read what I have said. But I am sure the Premier is quite right in endorsing, as he has done, the amendment to the Constitution Act of 1980.

If we look through what the federal government is proposing, it is proposing a charter of rights and freedoms. That is found on page three of the bill and page six of our report. They are very similar. All of these items are similar to the recommendations made by our committee.

Official language rights: I don't think they go quite as far as our report does, certainly not as far as I would like to see us go.

Equalization of regional disparities: that is the part of our report I read and is being done now.

Constitutional conferences at least once a year: We suggested during our discussions that might be done, as a good idea. We did not, of course, put it in our report.

Patriation: We have already dealt with that and I think most of the people in this country are in agreement with it.

Interim amending procedures: what could happen in the first two years and subsequently what could be done. I think it is good that it is coming home and coming home with a formula. What can be done in the first two years, of course, is by unanimous consent. After that it is the Victoria formula and some expansion of that. I don't see how many of us who served on this committee, at least, can find fault with that.

I want to commend the action of the Premier in doing as he has done to support Mr. Trudeau. The resentment, certainly from some of my supporters, is caused by the co-operation or what appears to be co-operation between the Premier and Mr. Trudeau, but the House can see our committee has been thinking along the same line. I am not going to say Mr. Trudeau fell in line with our committee. I don't think he is going to be in a hurry to fall in line with anybody. But what he is proposing is certainly in no way irrational, as some of the people criticizing him today would have one think.

The issues politicians are discussing at present on this matter are politicians' issues.

They are not people's issues. The majority of the people of this country will realize no difference whether the constitution remains in Westminster or takes up permanent residence in Canada. The important matter is that a decision be made and that it be made quickly. The country must get on with its day-to-day business. It must have the ability to pursue matters of impending concern, matters that are at present delayed while we talk about the rules of the game. Any constitution will work, if you have people of goodwill who want to make it work. The best of constitutions will be a failure if goodwill and co-operation are absent.

On August 6, 1980, the Honourable John Roberts appeared before us. He stated, and I quote: "I think there is a necessity for action because, firstly, it was more or less promised to the people of Quebec. I think the federal government promised it; I think that Ontario did."

And again he says: "The problem with trying for perfection is that you may end up doing nothing because you cannot get what you think is absolutely right. So you have to take some chances . . . We will see if unanimity comes out of the present series of meetings but, if it does not, I do not think we can put the whole thing to bed again for another 10 years. I think somebody is going to have to grasp the nettle."

With that I heartily agree. I think the Prime Minister of Canada is doing that and the Premier is doing that. I hope this House will give support in getting back the constitution, or having the constitution brought here, as is at present proposed, and that after any reasonable amendments are made it may be put forward and adopted. I think it is the right thing to do, and with that I heartily agree.

I thank the members of the committee for the pleasure of working with each of them. I thank the members of the House for the privilege of chairing this committee.

**Mr. Roy:** Mr. Speaker, I wish to make a few brief comments as one participant in this committee. As you know, I am not one with a lengthy experience on select committees. Although my experience in the House goes back some years, my experience on select committees is limited to the constitutional reform committee this summer. Even though I cannot say I wholeheartedly enjoyed it, I must say it was a different type of experience. There were times when I did thoroughly enjoy it, but towards the end, when we were preparing our submissions, I felt extremely frustrated. In conclusion, I had some reserva-



tions, as the chairman did, about the result of this experience.

One thing I do not have any reservations about is enjoying the company of my colleague to my left, the member for Downsview, this evening. His contribution, his participation, his good humour and, occasionally, his blessings greatly helped our committee. I certainly enjoyed the experience of being with him.

Having listened to the chairman's comments, I have no doubts, nor do many of my colleagues on the committee, that we had the right chairman. Our chairman was excellent and I want to thank him. I also want to say to the member for Humber that I, as one participant in the committee, felt he did us proud. He exhibited the type of savoir faire and comprehension which were extremely important in keeping this bunch of individuals together, and in trying to arrive at a consensus.

My only criticism of the chairman is that at times he was too kind and too understanding. Maybe he should have been just a bit harsher towards some of his colleagues. But, in any event, if there is some disappointment with the report, which I share with him, it certainly is not because of his leadership and his chairmanship of this committee.

I want to say as well that I am extremely proud of my colleagues on the committee. There is no doubt my colleagues from this party did us proud. I have no reservations at all in saying we got along well. We went through some difficult experiences at times. I am looking at the member for St. George (Mrs. Campbell), who had a problem with her foot at one point. But there was never any problem with her mind, I will tell you that. The people of Alberta found that out.

My colleagues from the New Democratic Party's side were extremely helpful. I found their approach and their comprehension of the process very advantageous in attempting to arrive at a consensus. In fact, they exhibited far more patience than I did. That should be underlined.

**8:50 p.m.**

Even my colleagues from the Progressive Conservative Party, for the most part, were very—how should I say it?—helpful. There will be times when I make comments about some of our recommendations when I intend to be as harsh as I possibly can towards some of their positions, but I must say that for the most part, from the early summer until October, all of them were extremely tolerable. I want to say I enjoyed the experience of sitting on the committee with them.

I want to mention that I enjoyed the company and assistance of our clerk, Mr. Forsyth, who is up there in the gallery. I have not had the experience of participating with him on a committee before. I want to say that he got better as we went on. I suppose one of the disappointments was that we had to quit travelling and start working. In any event, we think his assistance was very helpful.

Dr. Linda Grayson showed extreme comprehension and patience with us. I do want to underline that fact. Again, if we have some disappointment with some of the recommendations, it is certainly not due to her draftsmanship, research or assistance. We were helped—and I want to underline my appreciation—by Kathleen Hall, who is in one of the other galleries, and by Mary Beth Currie, who is not here.

**Mr. G. Taylor:** What about Franco?

**Mr. Roy:** There is Franco Carrozza. I had not seen him earlier. I had not seen Franco Carozza in the Legislature before, but there he is.

**Mr. Nixon:** I think we had better have a committee looking into what this committee did.

**Mr. Roy:** I want to say on behalf of my colleagues and myself that his assistance was greatly appreciated.

It was interesting, that in every city we visited, Franco Carrozza kept looking for Carrozza in the telephone book. In two or three cities he managed to find two or three of them and have a nice friendly chat. I do not know whether he was getting tired of us or he felt sort of lonely, but from city to city he would advise us of how many Carrozzas there were across the country.

We enjoyed the assistance and company of Pat Girouard on our trip. She was very helpful. At times she was able to curb the enthusiasm of some of the more aggressive members.

**Mr. Nixon:** Pat was travelling with you?

**Mr. Roy:** She was travelling with us. She cannot put her views on the record but her assistance was very helpful. In fact, during the trip she went to confession a couple of times to Monsignor Di Santo.

I want to limit my comments because I think the chairman has covered many of the areas that I wanted to talk about and most of the topics that we covered. But I do want to respond to some of the criticism of our committee. I do not know whether I should, since I do not know whether anybody reads the Claire Hoy column any more—a column

that appears occasionally in one of the papers.

For instance, he mentioned in his column in the Toronto Sun on October 22, 1980: "Since everybody else already knew other provinces are jealous of Ontario's achievements, it is symptomatic of these clucks that such a 'discovery' would seem remarkable." Of course, the discovery he is talking about is the fact that we express great concern that across Ontario everybody seemed to be unanimous that there was dislike for Ontario. We expressed that at page four of our report in the introduction when we said, "Your committee was dismayed by the general distrust of Ontario that exists across the country."

I suppose many people view this process and our participation as something that was a waste of time, a waste of money and a waste of effort. I suppose it may be symptomatic of the problems in this country that a lot of people say, as Claire Hoy said, that if anybody has any criticism of Ontario it is because he is jealous of Ontario. We found that in some areas, but we also found through our travel that some of the criticism and concern about central Canada's position was not so much out of jealousy, but out of lack of comprehension. They felt central Canada did not fully understand their position. We found this especially as we got farther from the centre. We found this in areas like the Yukon. Our chairman has commented about the great treatment we received in the Yukon.

We are all aware that because of its population and because of some other problems it would be difficult overnight to say the Yukon should become a province. Nevertheless, if we want people to participate actively in the democratic process, it seems that we should give them at least the tools, the power and some measure of self-control. It was my feeling, upon discussion with some of our colleagues in the Yukon, that in the field of taxation and spending they have less authority than most of our cities. Most of our small municipalities have more control over the raising and spending of taxes. It seems to me that some of these views can be understood only if we have dialogue and discussion with them.

My colleague the member for Humber mentioned the fact that we didn't have to wait very long in Alberta to get their views. Their views were pretty direct and at times brutal to the members of the committee.

I want to say that to some it may have been, as the headline says, a costly constitu-

tional sideshow, but when I consider the state we are in at the present time I feel, like many members, frustrated that somehow our impact will be limited, that we don't have more impact and that somehow what we are doing is not really achieving very much. Then I ask myself, would I be better off to go back to the law office and just mind my own business?

I think each of us in his own way tried sincerely as a member of the committee to have some input and to participate in the process. At least we will have the satisfaction of conveying some of that to our colleagues in the Legislature. I can't help but think when I look around me in the Legislature that this is not one of the hottest topics we have had in the last while. When I look at the whole process I feel sort of frustrated.

Just looking at what is going to happen this evening with Premier Lougheed, I find it ironic that the discussion that used to take place in legislatures no longer happens. For instance, Premier Lougheed has not appeared in his own legislature for the last two or three days because he does not want to say anything until he goes on television this evening. I thought how ironic it is to sidestep or circumvent the democratic process by going directly to the television cameras.

The action on the constitution does not seem to take place in the elected assemblies; it takes place at federal-provincial conferences or at back doors where the ministers or civil servants are wheeling and dealing. I ask myself, is this one of the reasons we are having so much trouble? Is this one of the reasons there is such a lack of understanding from one area of the country to the other?

If Claire Hoy thought we wasted more than \$100,000 in travelling, I want to say I think the experience and the exchange we had with other jurisdictions was something that is priceless. When I consider spending that money in doing what we did, I consider at the same time where governments, and not only this government, have wasted money on a place like Minaki Lodge.

We were talking last week about land assemblies. Millions of dollars have been spent on land assemblies where the land is presently vacant. I say to myself, in the scheme of things and the priority of things, maybe we should have spent more money doing what we are doing now. Maybe we would have fewer problems in the country had we embarked on this type of exchange before.

9 p.m.



**Mr. Eaton:** You don't understand the feelings of the people up there.

**Mr. Roy:** I do not think anybody wants to waste \$8 million or \$10 million. Whether it be Minaki or anywhere else, I do not think anyone is in agreement with the fact that the government is going to spend a whole pile of money and leave the place closed. I do not want to get into that. But in the scheme of things, if the Legislature of Ontario is spending this kind of money on the constitution, it is not wasted.

I want to express my disappointment, as the member for Humber has, in one particular area. He mentioned the question of energy and natural resources. In view of what is happening now, I felt we could have spent more time and possibly had something—I should not say more educational—more precise and in greater depth than what we ended up with.

I want to deal with one area of great disappointment to me—language rights. I felt this was one area where we had the opportunity of showing some leadership but we failed in my opinion. We failed miserably because we attempted to arrive at some form of consensus and, unfortunately, somehow in this committee all at once this issue became politicized.

I can recall our first discussion when the committee was formed. When we were discussing the question of fundamental rights, it appeared the question of language rights would be no problem. We were discussing so many proposals and so many best effort drafts by the federal government for entrenching fundamental and linguistic rights and there appeared to be no problem.

As we travelled across the country discussing some of these matters with various jurisdictions, there appeared to be some form of comprehension. I say to some of my Conservative colleagues on the other side, especially to the member for Prince Edward-Lennox (Mr. J. A. Taylor) who is not here this evening, that I had the impression as that member travelled from one jurisdiction to the next that he had a very open mind on a variety of subjects. I can recall his attitude in Alberta. I could not distinguish him from the other members of the Alberta Conservative caucus. He was right on and seemed to have full understanding of things.

**Mr. Samis:** Soul mates.

**Mr. Roy:** That is right. I can recall the same thing when we were in Newfoundland. There seemed to be comprehension. In Quebec as well, there seemed to be no problem when we had exchanges with various groups

there, including the government, the Liberal Party and members of the Union Nationale. When we got back to Ontario it was just as though we had turned down the lights again for some of my colleagues on the Conservative side.

I was extremely disappointed to hear the discussion. I was not there on that first Wednesday when there was some in-depth discussion on this issue, but as we progressed in the field of language rights it seemed that the word had come down from on high to Conservative members of the committee that somehow the other two parties, the Liberals and NDP should be isolated and that the consensus we had arrived at should no longer be maintained.

I do not say that of all of the Conservative members of the committee because we have heard the comments from the chairman. We haven't heard the comments from the member for Stormont-Dundas-Glengarry (Mr. Villeneuve) but, all of a sudden, we clearly had the impression the word had been handed down to some of the members of the committee from the Conservative Party that this issue had become politicized. Somehow they should isolate the Liberal and the NDP members as being supporters of section 133 of the BNA Act or the equivalent section in the Manitoba Act. The members of the Conservative Party were saying clearly that they did not accept that principle.

Then it seemed to my surprise and my great disappointment that somehow some of the members of that committee were not even prepared to accept the government's position. I can read from Hansard, but I do not want to take that time. There were members of that committee who at different times even started questioning the official languages at the federal level. I thought this committee was going to give great leadership, but it did not even accept the Official Languages Act at the federal level. If we are not even prepared to accept that premise, it is going to be awfully difficult to give some leadership in this province.

I want to repeat my great disappointment that we could not move forward on that issue. I said to many of my colleagues in this province, many of the people I represent, the francophone minority in Ontario, that I was hoping this issue would not become politicized. We were a select committee; politics were not part of the process; there were no political marks to be made. All of a sudden that is not at all what happened. We came out with a recommendation that is mushy and flat and lacks any

sort of what I consider to be leadership by the committee.

For instance: "Your committee considered at length whether Ontario should accept the principle of the obligations already incumbent upon Quebec and Manitoba by virtue of the BNA Act 133 and the Manitoba Act 23. Your committee was unable to reach a consensus, although a majority accepted the principle. All members wish to study this matter further before making a recommendation."

Frankly, I would have stayed home if I had thought we were going to come up with something as polite and as docile as this. It is small wonder that at times Ontario lacked a certain amount of credibility in Quebec. It not only lacked credibility with the Parti Quebecois, but with all Quebecers. How can we tell Quebecers, "You are bound by section 133 of the BNA Act, but we in Ontario want to study the implications of this."

It is important that the long and traditional union between Quebec and Ontario be sustained, and it is going to be more important than ever in the future. But we take this sort of two-faced and, to me, extremely docile approach. We hear the Premier of this province saying, "I do not want to institutionalize bilingualism. I am afraid of section 133. I am not in favour of this." Let us look at what section 133 does.

It says, "Either the English and French language may be used by any person in the debates of the Houses of the Parliament of Canada and of the House of the Legislature of Quebec; and both those languages shall be used in the respective records . . ."

Let us talk about that. If we were to insert Ontario into this, we have already got it. Our standing orders permit us right now to use both languages in this House. Are we saying we are afraid of entrenching something like that? We have had it in our standing orders now since 1967, I think. Yet we are basically saying we want to study it.

Section 133 says, ". . . both these languages shall be used in the respective records and journals of those Houses." If we have some reservations about printing the thing in both languages, who is going to get excited about that? Have we progressed so little we are even afraid of something like this? I personally do not get turned on whether the thing is in both languages or not, but at least we would have looked at it and maybe said, "Print it if it would make you feel better." What is there to get excited about if those records or journals should be in both languages?

Then it says, ". . . in any pleading or process in or issuing from any court . . . and in or from all or any of the courts of Quebec." Again, we have our criminal courts; it is the law in Ontario now that one can have a criminal trial in both languages. That is what section 133 says, and we are proceeding this way in our civil courts. We have both languages in small claims courts in certain areas of the province. We adhere to most of section 133 right now and we are not even prepared, as a committee, to accept those recommendations. We considered it at length and the committee was unable to reach a consensus.

9:10 p.m.

I felt very disappointed about something like that, especially on that last day. On that October 16 morning, all at once the word came down from on high that they were going to try to isolate the other two parties and wanted no part of section 133. I have never felt such frustration as on that last Wednesday and Thursday morning.

My colleague the member for York West wanted to make very sure that when we talked about both languages, we talked only about federal institutions. I was so frustrated I said at one point, "Would you like to add another line in there somewhere to assure that it will not apply to Ontario? It will apply in all federal institutions but not institutions of Ontario."

If we want to give some leadership and have some credibility with other parts of Canada, especially with Quebec, how can we accept this double standard from a very practical point of view for Quebec? How can we face our own minorities in this province and say, "We cannot do this for you"? How can the Premier, who rejected the principle of section 133, tell Rene Levesque that franco-Ontarians have more protection in Ontario than anglophones in Quebec?

We did not arrive at this consensus, not because most members of the committee were not in favour of it but because all at once the issue became politicized by the Conservative members. For that reason I am very disappointed by their performance in that area.

My colleague from Humber mentioned the question of energy. I do not intend to dwell on that except to say I felt we could have taken a stronger position. The member for York West proposed at the last minute we insert in our energy recommendation the last few lines he talked about. Frankly, I thought that was unnecessary.



At the time the last draft of the report was prepared, we already had the federal position on patriation of the constitution and I felt we should have taken a stand on that issue. We were not acting in a vacuum; we were seeing what was now happening in Canada. The federal government was proceeding with patriation, with an amending formula and with a bill of rights. In my opinion, we should have made some comment about what our views were on that issue. I understand the government of Ontario is in support of it, and we have expressed support for that position as well. But I think it would have been helpful if we had made some comment or reviewed that part of it.

While we are talking about the federal proposal, I really think the positions taken by some of the other jurisdictions in criticism of it are extremely exaggerated. Newfoundland's position is that the federal proposal is some type of scheme whereby Quebec will be able to get back Labrador. Some of those statements are unreal.

I find it ironic that we are discussing this report this evening, while at the same time we are waiting to hear the Premier of Alberta's response to the federal proposal. From what we hear it appears one of his responses will be that he is going to start turning down the tap. In other words, he is going to reduce production in Alberta. I find it somewhat ironic to be standing here discussing draft proposals of the Ontario select committee on constitutional reform at the time when the threat of western separation appears to be more imminent than the threat of Quebec separation which existed in May when we originally formed the committee.

It would be important for Ontario and the federal government to respond to whatever approach is going to be taken by Alberta as quickly as possible. There is certainly the feeling from my colleagues on the committee that it is not going to be an easy issue. When we discussed their approach and their view of Canada with our colleagues in Alberta, it became very clear, whether we were discussing the question of natural resources or repatriation of the constitution, that they felt any threat at all to provincial jurisdiction would be vehemently opposed. They even oppose a bill of rights because they see it as some type of threat to the Legislature of Alberta.

They have a great distrust of central Canada vis-à-vis their natural resources. They see any form of taxation as a form of theft and robbery. We felt we had, after having

discussed it with them and with some of the people in the petroleum association, some comprehension of their position. We recognized the importance, as we said on page 20 of our report, of the question of energy pricing.

This is one of the reasons we addressed this issue by saying: "Although the question of energy pricing is outside the strict definition of constitutional reform, your committee is convinced that the settlement of the pricing question and the subsequent issue of revenue sharing are crucial to the resolution of the constitutional questions with respect to national resources. Long-term guarantees of supply are critical to Ontario and require the acceptance of higher prices"

We accepted that and it was something which was brought home clearly and unequivocally to us in our meeting with that jurisdiction. Having said that, it would appear with the federal budget being perceived as a threat to Alberta's revenue, the response of Alberta is going to be strident. One has to ask oneself: where do we go from here? Should we as members of the committee or should we as people who are elected in this province be expressing views on what Ontario's approach should be or the federal government approach?

I clearly had the impression that the government of Alberta considers its ownership of resources to be somewhat absolute. In a sense, when talking trade, especially inter-provincial and international trade, they feel there should be very little federal involvement even at that point because they see it as a threat to their jurisdiction over that resource. They take the position as well that any form of taxation is a threat to the ownership of that particular resource.

9:20 p.m.

All I can say is that there are very few things in this world that are absolute. There are very few principles that are absolute, whether we are talking about principles of guaranteeing fundamental rights and liberties or talking about natural resources.

Somehow Ontario will have to play a greater role in trying not only to understand their position, but making it very clear at some point to the people and government of Alberta that their ownership of that resource is not absolute. What do we do when the Premier of Alberta says, as he may say this evening, "We are going to cut back 50,000 barrels a day"? What do we do when certain areas, not only of Ontario but of Canada, start running out or when we are going to

have to go on the world market for that resource? It seems to me the message has to be made clear to the government of Alberta that we are still operating under a statute called the British North America Act. Under that statute there are certain powers there, be they under the peace, order and good government provision or under the declaratory powers.

In a federalist state, one part of that state cannot hold the other part to ransom or to blackmail. That position is going to have to be explained and that view is going to have to be expressed clearly, it seems to me, to the government of Alberta.

I appreciate that we did not deal specifically with some of these matters but these are the realities of the situation. We are in a position now where the federal government is patriating the constitution. We have expressed in this report our concern about that process and the necessity of certain guarantees. It seems to us that the original reason for having established the committee and the original reason for this whole process, considering the strains that were coming from Quebec, is still there. Movement has to be shown, although we have expressed to our federal colleagues that it may be difficult to convince the people of Quebec that we are moving when all the political parties in that province are against the federal position.

Nevertheless, it seems to us that progress must be made. That progress cannot continually be impeded by the rule called unanimity. From what I read tonight in the Toronto Star, the Parliament of Britain is talking about a memo suggesting that there must be some unanimity before the British Parliament will respond to the Canadian request. It seems to us that that sort of position is intolerable.

Having made these few comments, I must say that it is an experience I thought was helpful to me. I hope that in some way I can share with my colleagues here some of the views that were expressed across this land to us. The time is limited and I don't want to take up too much time.

**Mr. Nixon:** You might as well use up the other five minutes we have got. Go ahead.

**Mr. Roy:** Is that all there is left? I apologize, but I thought I started about nine o'clock. I want to say I thought the experience was worthwhile. I just wish, as my colleague from Humber said, that somehow we could have brought something forward which would give more leadership and was more precise and that in the difficult areas of energy, language rights and provincial

rights we could have come up with a position that showed clearly that we as members of the Legislature were prepared to grapple with the issues and to take some position which the respective governments could strive for.

**Mr. Renwick:** Mr. Speaker, I rise to take part in this debate of the report to the assembly of the select committee on constitutional reform. In the course of it, I will also want to make some references to the Canadian constitution, that is, the proposed resolution which is at present before a committee of the House of Commons for consideration because of the natural overlap of certain matters that are dealt with in our report and in that resolution.

I want to speak really to my colleagues in the assembly, the collegium of members of the assembly in their representative capacity, regardless of whether they hold office under the crown or not. I want to speak to the collectivity of the Legislature as the representatives in this province of the peoples of Ontario, divorced from the question of whether or not they are members of the government party.

The committee comes to the House with a report which is a consensus of the committee. It would be invidious of me to stand here in my place and try to indicate in what respect I do not agree with the report, or where my reservations are distinct from the consensus. Certainly some, in reaching a consensus with the number of colleagues on our committee, are going to have different views. It would be a kind of arrogance on my part to spend any of the assembly's time about my particular reservations or my particular concerns.

Because I speak to the consensus, throughout the sittings of the committee I felt we must reach the best possible consensus, given the diverse views and the differing conceptions that the members of the committee have about Ontario and about the country to which we all belong.

The sense of consensus was most important because the task of the committee was to deal with the unanimous resolution of this assembly, passed last May, prior to the referendum of May 20 in Quebec. It was a resolution that was passed after a full week of debate, after an occasion which has never taken place before, to my knowledge, in this assembly when most of the members of the assembly participated. Those who did not read about or hear what was said. So we come to the assembly this evening with a



report which is a consensus and responds to that unanimous declaration of this assembly.

My concern is whether or not this assembly will think that we, the members of the committee appointed by the assembly, have fulfilled in any small degree the task which was put before us. The resolution we passed on May 9 was:

"We, the Legislative Assembly of Ontario, commit ourselves as our highest priority to support full negotiation of a new constitution to satisfy the diverse aspirations of all Canadians, and to replace the status quo which is clearly unacceptable. Further, we affirm our opposition to the negotiation of sovereignty-association and, therefore, we appeal to all Quebecers to join with other Canadians in building this national constitution."

The resolution went on to appoint this select committee. The terms of the select committee were: "To make recommendations towards the achievement of a new constitution for Canada which would satisfy the diverse aspirations of all Canadians."

I report back, as a member of the committee under the distinguished chairmanship of the member for Humber, to say to the assembly, "Have we performed the work you asked us to perform?" My answer must be, "No. We reached a consensus in the committee which was the best possible consensus, given all of the circumstances."

9:30 p.m.

Had any other 15 members been appointed to the committee, going through the same processes we went through, in all likelihood they would have come up with a relatively similar consensus, because that is the level of consensus that is possible in the province at this time about the country. It is no higher and no lower than that.

That poses a real question for the assembly with respect to our report and our recommendations. Every member of the assembly must ask himself whether we meant what we said when we asked for a new constitution for Canada. We said that the status quo was unacceptable; that the diverse aspirations of all Canadians must be met; and we called upon the people of Quebec to join with us in that task. Are members in a position to say to the committee, "Yes, you have performed your task" or "No, go back and do it again and come to us with a better report"? I hope the latter will be the answer, not just in terms of the task ahead, but in terms of some of the qualifications and reservations which the

consensus in the committee saw fit to put within our own report. That is the question which is involved tonight.

This is not the end of the road. This is a different kind of report from the report on some specific task which comes into the assembly and is debated and finds its way into legislation at some later date. This is part of a process. I am asking the members of the assembly, "Did the process stop on May 20 or is it a continuing process?" I believe it is a continuing process.

We started our deliberations in the prologue of a failure; we finished our deliberations in the aftermath of a failure. What was the failure? It was the failure of the 10 Premiers and one Prime Minister, the failure of the 11 first ministers; each of them participated in that failure. All of them must bear the responsibility for that failure. Not one of them—no matter what position he is now taking—can evade participation in that failure.

The work of our committee was, without a doubt, affected by that pervasive sense of the failure of the first ministers' conference in September of this year. It is within that context we must think about what this assembly asked this committee to do and what this committee must now do if it is to advance the process of constitutional reform in the terms in which the resolution of this assembly instructed the committee. That means to me that we must continue with our work. We must go back at it again.

We do not yet know the dimensions of that failure; but we lived through it and we come to the assembly with a report which in large measure reflects the failure of the first ministers. In a large sense it reflects the difficulties within the country which are not yet resolved.

Let me turn for a moment to the value of the report. I happen to think it is a quality report because of the participants in it. The distinguished member for Humber was the chairman of the committee. My colleagues from all the parties participated in that committee and all contributed. There is no sense whatsoever in my mind but that the process of that committee was what this assembly is all about. That we were able to reach consensus is a tribute to the membership of the committee.

Let me pay my tribute to Linda Grayson, to Kathleen Hall, to Smirle Forsyth and Franco Carrozza, and to Mary Beth Currie, who was with us for a short period of time. She was with us about six or seven weeks at

the inception of the committee, and worked very hard for us; then she went on to begin her career in law at Queen's University.

Let me pay my tribute, as I have on a number of other occasions, to Pat Girouard for the skill and expertise that is involved in following a committee such as this across the country to make certain we have an adequate and full record of the proceedings of the committee. And let me pay my tribute to all of the supporting services of Hansard and of the legislative library and others who contributed to that success.

I say without fear of contradiction, one only has to read the 34 pages of the report—and that is all it is—to see that its hallmark is quality, of which we in this assembly can be proud.

Let me speak a little bit about the significance of the report. Others have referred to it. The significance of the report is contained in the one-line statement that we were dismayed at the sense of distrust of Ontario throughout the country. If we had to file a single-line report, that would be the report. If we had to file a single recommendation, that single recommendation is in the introduction: "Your committee recommends that ongoing discussions be held among legislators to facilitate the process of constitutional change."

We have run into a peculiar situation in the country. The 11 men no longer have any credibility to solve the constitutional problems that are presented to the country. That is the fundamental dilemma and contradiction of the times. There are some people who talked to me about enshrining in the constitution a provision that the first ministers meet annually. I think perhaps we should enshrine it that they can meet as often as they want—as long as they do not talk about constitutional matters. That might be the solution to the whole of the constitutional problem that we are faced with.

We must recognize that the dimensions of their failure are not yet visible to us. Let us not confuse the issue by thinking that it was anything other than the failure to which I refer.

I participated in the two trips the select committee took. The first trip was a kind of a trial; it was a very interesting trial operation for us. We went to New Brunswick and Nova Scotia; we came back to Ottawa and then to Toronto. I enjoyed it. It was most interesting, and it gave the committee a lot of confidence in itself. It provided a cohesiveness for the committee when we landed back

in Toronto which was visible throughout the rest of its deliberations and its other trips.  
9:40 p.m.

I will always remember the 13 days we spent, from the time we left Toronto and went to Whitehorse, when we went down to St. John's, Newfoundland, and came back to Toronto. I do not have any sense that I slept in a Holiday Inn and did not know which city I woke up in the next morning. I had a very clear photographic sense of each and every place we went to across this country. I think I share that with all of my colleagues on that committee. It was a remarkable and unique experience. The compression in time allowed us to get exactly what we had to have, and that is basic impressions.

Let me talk briefly about five of those particular impressions. Let me also say that there was no question, amidst strong and different views that were expressed to us, about the basic underlying hospitality that was extended to the committee. I share exactly what the chairman said about that hospitality. That does not mean there were not sharp differences of opinion and views expressed which led to the statement about our dismay, but the underlying hospitality and courteousness was extended to each and every member of the committee as we made these various trips.

Let me very briefly give only my impression of the Yukon—nothing that will change the course of history. The interesting thing about the Yukon is there is a government established under the Yukon Act and there is a provisional government of Indian peoples. We do not have to go abroad to understand that there is a provisional government parallel to the existing legal government of the Yukon facing immense and terrible difficulties. We all came away with the immensity of the two solitudes of the Yukon: 5,000 native people, 16,000 white people. The two solitudes were obvious to us. This is an extremely difficult problem. We would not have known anything about it had we not gone there.

We went to Alberta. I will come back to Alberta, not because it is other than a difference in degree. The quality of the concern about the role of Ontario is prevalent across the country. Its degree happens to be heightened in various parts of the country, and one of them is Alberta.

Let me mention Quebec. One cannot conceive what it is like as a member of the assembly of Ontario to sit down with the leader of the Liberal Party, Mr. Claude Ryan,



or to have luncheon with the Speaker of the National Assembly in the province, and to be told what has happened to the communications between Ontario and Quebec. Why have the communications broken down? Why is it that the traditional history of the country has been abruptly broken over a period of time? It is not through lack of goodwill in a personal sense, but the intercommunication between the government of this province and the government of Quebec is, as we have learned and we surmised, only to be designated as formal. It is not the kind of essential communication that is part and parcel of the initial Confederation and association of the country. We, in Ontario, permit this to go on at our peril.

Let us go for a moment to Newfoundland, where there are people saying, "Our way of life is going to be unalterably changed and we are going to do our best to protect it." As the resources come from off the shore on to the land in Newfoundland for processing and transshipment, or whatever the process is, the impact will be traumatic and dramatic on a way of life that is valued and treasured. I, as a central Ontario person, believe Canada is the greater for that valuing and that treasuring of the way of life of the people in Newfoundland.

There are many other areas I could talk about in relation to the impressions all of us received during the course of our trip. Let me make reference to one unhappy occurrence. We went to Ottawa and met with senior civil servants charged with this question of constitutional reform before there were any leaks of confidential documents, before there was any suggestion whatsoever that we knew what was in the minds of the federal government. Every member of the committee came away from that meeting shocked and dismayed at the arrogant attitude exhibited by the federal government about this country. It was a disturbing event I will never forget.

The civil servants who met with us—and I am not suggesting they are responsible, because the government is always responsible; I am only saying we met with the senior civil servants engaged in this—were planning for failure. That is what they were planning for. There was no will to succeed in the kinds of adjustments and accommodations necessary for this country to survive as the kind of federal organization we in this party and in this assembly must all believe in. The country cannot work except under a federal system.

I want to turn very briefly to the question of the native peoples under the constitution. The committee agreed we would invite the representatives of the principal organizations in Ontario representing the natives peoples, and they came and presented their position to us. On page 32 of the report there is the statement about the native peoples. I hope each and every member of the assembly reads and rereads the statement about native peoples and the constitution. I am not going to read it into the record tonight. It is part of the record of this assembly because of its inclusion in the report.

Let us lay to rest one specific problem that people seem to have with the native peoples' communities. The native peoples' organizations are quite competent to represent their constituency in a constitutional assembly or convention and to let people know their positions. They would be, in my judgement, the true representatives of the native peoples in the province and quite competent to participate on an absolutely equal basis in the process of constitutional change.

One can go on. I am not going to go on at any great length about the condition of the Indian and native peoples in Ontario or into the technical ramifications of the jurisdictional questions involved. We have all seen and looked at the report issued by the federal government in June of this year with respect to the conditions of the native peoples, and thanks to David Lancashire of the *Globe and Mail* we had a three-part series quite recently about the condition of the native peoples in the country.

I happened to read recently—and it is a matter about which I have no personal knowledge at all, but I was struck because I had not even heard that the Beothuk people in Newfoundland had disappeared—in the *Evening Telegram* of St. John's, Newfoundland, that last year was the 150th anniversary of Shananditti, the last of the Beothuk, who died of tuberculosis in 1829. The correspondent to the newspaper had this to say: "The extermination of a race of people, generally called genocide, is a blot on any civilization." 9:50 p.m.

Mr. Speaker, I want you and this assembly to understand that we have in this province a condition of genocide with respect to a large portion of the population representing the native communities. We have that responsibility. Certainly, some will escape the genocide; some will make the assimilation; some will not die. But I say to the assembly that what is happening at Grassy Narrows, Whitedog and elsewhere throughout northern

Ontario on the reserves, the so-called enclaves that out of our great generosity provide the land on which the native people find themselves located in the province, is genocide. One of the responsibilities of this assembly is to pay that debt of justice at some time to the native peoples.

I have a very simple view of justice. I spent a long time trying to understand what justice meant, and justice is very simple to me. It is simply a certain kind of regard for other people's interests; that is all it is; but it is the nexus between barbarism and civilization. The assembly has to understand that where we in the legislatures of Canada and Ontario have failed, where even the law courts can do nothing about it under some esoteric doctrines of aboriginal claims that have to be revived and re-established, perhaps after these centuries in the constitution of this country it may be possible in some way to pay that debt of justice we owe to the native peoples.

There are any number of other matters one could speak about in the course of a debate such as this, and I have a number of other areas I want to touch upon.

I want to talk about one personal incident that occurred on the first trip we took. One evening I was sitting at a dinner table with my colleagues the member for Downsview, the member for Stormont-Dundas-Glengarry and the member for Cornwall. We were chatting about the country and how long we had been around, and one of us said to the member for Stormont-Dundas-Glengarry, "How long has your family been around?" He said, "Fifteen or 16 generations." I picked it up and said to my colleague from Cornwall, "How long has your family been around?" and he replied, "I think eight generations." I said to my great and good friend, my colleague from Downsview, "How long have you been around?" and he said, "I got here in the late 1960s." And I asked myself how long has my family been around—I am a second-generation Canadian.

We were all Canadians sitting there, but the history of the whole of this country was reflected in the people who were sitting at that table as it would be in any accidental group of four people sitting around a dinner table and talking. It spoke to our history, it spoke to our present and it speaks well of our future. But none of us had any pride of place, and no one around that table said, "I have been here longer than you have." We were all speaking to each other at that dinner table simply as Canadians concerned about our country and representing a small

part of the geographic territory of Ontario in this assembly.

I want to turn now, if I may, to the resolution that is before the House of Commons in Ottawa. The failure of the 11 men provided the opening. There was available to the Prime Minister then the kind of opening that led to the resolution that has been put before us. It was put before the House of Commons in Ottawa and before the standing committee of that assembly, but in truth it was before every legislature across the country. It deserves a little bit of concern and thought.

I do not think for one moment that the assessment by the Prime Minister and by the Premier of Ontario of the general sense of the people in the country about the four broad areas included in that resolution is very far off. Of course, if one wants to talk in provincial terms, it makes it a little bit difficult, as the Premiers in other provinces are finding, to deal with the question.

I think the esoteric question of patriation and its accompanying problem of an amending formula are the kinds of things that have turned the Canadian people off constitutional discussion. They think it has no relation to the world in which they live, and we allow that mythology to continue so long as we are unable to deal with it.

In our own way, in our own committee, the patriation question, without an amending formula, was faced up to. We would accept the fact that we would patriate the constitution with the understanding that from there on in it required unanimous consent. I do not have any real problem with the arrangement in the patriation formula of the resolution before the House of Commons, that we patriate and for two years amendments will be by unanimous consent. Then one comes to the crunch about how it is to be amended in the future.

I am speaking about the broad principle; I am not going to engage in the intricate question of textual analysis tonight as to whether every word in this is the way it should be.

The second broad principle is one of equalization. Everybody in the country accepts the principle of equalization. Again, there are very significant problems with respect to the language in which it is couched—what the actual meaning may be when it is entrenched in the constitution. But the basic principle of equalization is accepted across the country and therefore poses no real problem to me with respect to that resolution before the House of Commons.



The question of the charter of rights is one that is very close to my view of the world in which we live. I think it is essential and I welcome the inclusion of the charter of rights in the resolution being considered, including the process of patriation. The reason I welcome it is, I do not think it imposes any limitation or is an intrusion upon our provincial authority here as a legislature, any more than it is an intrusion on any other legislature or an intrusion on the Parliament of Canada.

It is a decision the people in the country, I believe, will by and large accept that it is imposed. I am using "imposed" not in its penal sense but in the sense that it is laid on top of everybody. In my judgement, therefore, it is not a matter of which it can be said that in some ways it intrudes upon provincial autonomy or provincial distribution of powers. That may be a rationalization, and other people can put forward that view. But if I have to choose at this point in the history of Canada as to whether we are going to have a charter of rights in the process that is being used to obtain it, then I must come down on that side.

I share completely and wholeheartedly the position which, with great difficulty, the Attorney General (Mr. McMurtry) has come to on this question. During the course of the consideration by the ministry, mainly in the Attorney General's office, of this question of civil rights and the entrenchment of civil liberties and all of the problems involved in it, the Attorney General took the time to speak to the Canadian Bar Association on August 24.

I want to quote two paragraphs of what the Attorney General said, because he and I obviously think in identical terms, and I believe my colleague in the Liberal Party would agree with this as well. I quote the Attorney General:

"Having no collective civil rights consciousness, Canadians lack a collective memory of civil rights violations. Victims of intrusions stand alone, isolated and without support. Violations, when they occur, are seen as either justifiable or as isolated aberrations, then are quickly forgotten. Canadians simply do not conceive of fundamental freedoms as rights inalienable, non-negotiable and indivisible.

"In the light of this historic attitude, it is meaningless to assert, as is frequently done, that Canada has an incomparably good record on civil rights issues. Viewed as a whole, and generally from afar, that assertion is correct, but it overlooks the suffering to which indi-

viduals have been subjected when rights have been violated. It also overlooks the shockingly fragile foundation upon which the rights of all Canadians rest."

In that ongoing debate, speaking as he was particularly about what are known in the trade as legal rights, he came down on the side of the enshrinement within the constitution, and I accept wholeheartedly the position as he has stated it.

Let me, however, draw attention to three or four matters within this resolution related to the charter of liberties which cause me some real continuing and ongoing concern.

There is what can only be expressed as a lawyer's qualification in the opening paragraph of the charter. It reads, "The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it"—this is it; you can always spot the lawyers when they get their hands on fundamental issues—"subject only to such reasonable limits as are generally accepted in a free and democratic society with a parliamentary system of government."

How delightfully expressed! But what is a court going to do with that? What is the meaning of that exception? What is the definition of it? In the discussions to date, I have not seen any content or substance given to those free-flowing words tucked away as a lawyer's exception to the whole of the bill of rights about which we are speaking.

Let me make a second point—we must not forget this; we make this point in our report but it generally gets lost in these discussions—that we have a responsibility here in Ontario for our constitution. The constitution of the province is totally within the jurisdiction, at present, of this assembly, except for the office of Lieutenant Governor. To amend our constitution, we do it right here. We do not have a written constitution; as a matter of fact, I defy anybody to be able to write down even the sources of the constitution of the province. Let us not lose sight of the fact that we have a responsibility about the Ontario constitution and in my judgement the view that we in Ontario should have identical rights to these provided in this particular field.

Let me point out another concern of mine: There is no recognition, so far as I can see in that charter, of something called the right of privacy. I do not know how the omission occurred, I do not know how it can be remedied, but I point it out and I trust the Attorney General and others interested in this will look at it: There is no sense of the right of privacy. I would guess it is fundamental in the minds of each of us

with respect to the kind of society we want to live in. I would hope somewhere along the line that omission would be picked up and dealt with.

We tried to deal and we were unsuccessful. We tried to reach a consensus in the committee about the insertion in the charter of rights of something called economic rights as distinct from the fundamental rights, the political rights, the legal rights and the egalitarian rights. We tried to put that in.

We tried to indicate that at this point in the life of Canada we have reached the stage at least where a person who has been wronged should have an enforceable right. We only get the right after the wrong exists and is recognized. When people are wronged with respect to their economic security, which is the gut part of the capacity to live a civilized life, the time has come that in some kind of language, somewhere, we should be able to insert an equally enforceable economic right. We tried. We were not successful.

I say to the assembly that one of the matters the assembly must consider in the course of this debate, if and when they give us the reference back, is to see whether next time we can come forward with that particular provision.

Another matter I want to touch upon is the egalitarian rights. I have two problems with it. We are to be protected against discrimination in respect of a certain number of itemized headings. For the life of me, I cannot see or understand—and if somebody can enlighten me I will be quite happy to accept the enlightenment—why we do not say that everyone must be assured of protection against adverse discrimination. We do not have to itemize certain specific things; we simply have to say that no one in an egalitarian country such as ours can be discriminated against adversely without having that adverse discrimination the matter of adjudication. We do not have the skills and the ability to itemize certain headings of discrimination. There are many other areas of discrimination that are not touched upon in this charter of rights. I would hope that will be dealt with at some point.

I draw the attention of the assembly to the strange situation that in a country such as Canada which is based upon the egalitarian nature of the society and the equality of each citizen, the provision of the charter with respect to discrimination does not come into effect until three years after this act comes into force. In other words, at this time, there is not in existence the clear line that permits

us to say now that people will not be discriminated against on account of these particular headings. Within three years the laws of all of the provinces are going to have to meet that test, and the adjustments are going to have to be made before it comes into force.

I do not intend to go into the amending formula, the question of the referendum and the question related to the proposal in our report on the amending formula, other than to say that in a constructive sense the committee creatively put forward an amending formula which, in my judgement, is far superior to any amending formula we have seen. We will never know whether that traumatic visit to Ottawa, when we provided them with a copy of our amending formula, led them to steal the idea of the referendum and then to subvert it, corrupt it and re-introduce it in the resolution in the House of Commons as a kind of end run around the game. Our formula was a carefully staged, two-tier procedure for amendment of the constitution. I commend it to members of the assembly to study so they can understand what that particular provision is all about.

10:10 p.m.

Let me return to the fundamental questions where we need to have the impetus and direction from the assembly to raise our consensus the way in which it must be raised. We have to understand in this country that, unless we recognize that Ontario is going to be a unilingual province—and for the lifetime of all of us who are sitting here, it is going to be a unilingual province—we must extend that identical opportunity or right, or whatever we want to call it, to Quebec to be a unilingual province. We cannot expect Ontario to be unilingual and Quebec to be bilingual. Each of us can legitimately expect, because the workaday world of Ontario is English and the workaday world of Quebec is French, that one does not have a decent respect for the English language in Quebec and the French language in Ontario.

I am saying to the assembly that, until we are prepared to say that, then we are not going to have that magnanimity of spirit which will reach out in some way in some small measure to Quebec in the way that is essential if we are to fulfil any part of the obligation, stated and unstated, but felt in that period leading up to the referendum on May 20.

There are many other aspects of it, and I do not pretend to be knowledgeable about all of the ins and outs of that language problem. However, let me say that it is an obligation



for Ontario voluntarily to assume, I trust—and I would like the direction of the assembly to have us say that—and to accept what Manitoba is required to accept, what the federal government is required to accept, what Quebec is required to accept and what, as I understand it, New Brunswick accepts; that is the question of the right of process in the courts and the rights with respect to this assembly. I want to make a point about that.

I am not engaged tonight particularly in partisan matters, but I want very much to say to the assembly and to all of the members of the assembly that our party would have been opposed to a provision in the resolution before the House of Commons which would have required Ontario to provide the rights that are included in section 133 of the British North America Act and section 23 of the Manitoba Act of the federal government about those matters. That is an entirely different matter from this province's voluntarily accepting, as part of its constitution, the kind of respect for the French language and the French-speaking people in Quebec inherent in that section. I do not need to go on at any much greater length with respect to that question of language rights.

If we deny to any part of the country what we in Ontario have had the opportunity to have over this century—that is, the right to use the natural resources to provide the economic takeoff in the various provinces, which up until recently have not had that kind of natural resource base, to provide for the kind of diversified economy that Ontario has achieved because of the economic takeoff that took place in the early years of this century, based on its resources—then we are being niggardly and we are being part of the failure of this part of the country to reach out.

We are going to have to deal with that question. We are going to have to understand that in provinces such as Alberta, Saskatchewan and Newfoundland, to name only three of the provinces, that the economic resource base is an essential precondition of economic takeoff to provide the kind of diversified industrial economy that is so necessary across the country and not just in this so-called heartland of Ontario.

I am not going to go on at any great length. There are colleagues of mine on the committee who can speak to these matters with some degree of depth and authority in economic matters which I cannot bring to that kind of concern.

**The Deputy Speaker:** I am sorry to interrupt the member but the time has elapsed, unless the House so desires him to continue.

Agreed to.

**Mr. Renwick:** Thank you; I appreciate the opportunity. I appreciate the courtesy of my colleagues and you, Mr. Speaker, in allowing me to continue and to complete my remarks this evening.

I want to talk a little bit of my concern about the failure of the 11 men, and the one man of the 11 I want to speak about is the Premier of the province, as well as the government of the province and the position of that government.

We have to understand there is a problem about the so-called economic union of the country; there is a problem with respect to language rights; there is a problem with respect to the recycling of revenues that will accumulate elsewhere. It must be abundantly clear that it is not sufficient for the Premier of this province simply to take the view that these things can be achieved only in the way in which he has stated them and which I need not restate. We have his position paper from August 1979, with respect to the recycling question. Time and time again we have had the statement and restatement of the position of this government on language rights. I am very pleased that our committee in our report was able to set aside the provision that the economic union provision was to be entrenched in the constitution. But those are the concerns that speak to a fundamental misconception about Ontario and its role in Canada at this time, as reflected by the policy of this government and the policies that have been enunciated by the Premier of this province.

It is not possible any longer to say that what is good for Ontario is good for Canada. It is not possible to pursue that conception of the federation. It is not possible to make the kind of distinction the Premier makes: He likes to talk about Ottawa as the national government; I like to talk about Ottawa as the federal government. That is what it is; it is the federal government. There is a mile of distinction between the use of those two terms. It reflects the kind of position that perhaps Sir John A. Macdonald had when he moved from being one of the leading statesmen of the union into the Confederation and went to Ottawa, the kind of outlook that is reflected in the studies that have been done and the biographies that have been written about the motivations and political objectives of Sir John A. Macdonald.

I am suggesting that is no longer an adequate model for Ontario in the Canada as we know it and as it must exist, if that failure to which I have addressed the main theme of my remarks is to be overcome. It is a funny sense; it comes through to me. I had an opportunity to look at a brief life-sketch of the other Macdonald, John Sandfield Macdonald, the first Premier of this province after Confederation, and it was quite an interesting comment he made. I felt it was appropriate to the government of Ontario that the administration of John Sandfield Macdonald was more a postscript to the past than a preview of the future, and I have a funny sense that the Premier and the government of this province are about to become a postscript to the past rather than a preview of the future. I think it is extremely important that we understand the nature of the change which must be made in the country.

One can ask me, and quite rightly must ask me, what is the alternative? As usual, rather than me expressing it, I always find expressed somewhere much more adequately and articulately what I want to see about this country. I quote from a book called Canada's Burden of Unity, an introduction:

10:20 p.m.

"If Canadians were to finally accept regionalism as a fact of their national lives and use it as a foundation for the development of truly national policies and attitudes, it could well prove to be a blessing. Unfortunately, federal policies, the attitudes of central Canadian governments and the biases of so-called national institutions such as the Canadian Broadcasting Corporation have painted regionalism with the brush of divisiveness, disunity and even treason. Influences tending to strengthen regional power are balkanizing, while those working to increase the central power are in the national interest. But this is true only if what is good for central Canada is also good for Canada."

That is the change: A qualitatively different approach and direction must be given. The 11 men are no longer capable of giving it. They have run out of the collective imagination needed to understand what the country is about.

When they talk about balkanization, my sense of history says to me they must be saying the Ottoman Empire was preferable to the present Balkan states, or that the Austro-Hungarian Empire was preferable to the independent states of Europe at the present time. That must be what they mean. If I have to choose between living in one of

the Balkan states or in one of the states of western Europe at the present time, or under the Austro-Hungarian Empire or the Ottoman Empire, I will choose the balkanized one, any time. That is a very real danger this country is faced with, unless we understand the message of the qualitative difference in approach which must be taken.

I have gone on at great length. Let me close and take my seat with this tribute to the 10 Premiers and the one Prime Minister, the 11 first ministers, the 11 men of Canada, with apologies and gratitude to the ancient Hindu fable of the blind man and the elephant and its long-forgotten minstrel, to John Godfrey Saxe, who gave us our English version, and perhaps to my mother, who taught it to me. I want to dedicate this to those 11 men of Canada.

It was 11 men of Canada

To confronting much inclined,  
Who went to see the elephant  
(Though all of them were blind),  
That each by observation  
Might satisfy his mind.

And so these men of Canada

Disputed loud and long,  
Each in his own opinion

Exceeding stiff and strong,

Though each was partly in the right  
And all of them were wrong.

Mr. G. Taylor: Mr. Speaker, I will commence, but I am not sure I will finish within the time allotted all that I wish to say. But, as with many subjects in this particular Legislature, we are sometimes devoid of sufficient time for all members to speak on a particular subject and indeed to represent their people fully on such a very important topic.

This committee commenced—I and others have used the words—in an aura of redundancy. When the first ministers were meeting, we were trying to decide in which direction we might go. Indeed we did find a direction. We started on those very same 12 topics the first ministers commenced their work on. To our great consternation, surprise and dismay, those 12 topics were doomed to failure very quickly. When we look back on it, the words of the member for Riverdale (Mr. Renwick) come back to us ringing in their accuracy about those bureaucrats who patronizingly gave us an audience—and I use that word "audience"—in Ottawa. Their minds even at that particular time were made up on the direction in which they were going, the direction in which they were going to advise their poli-



ticians to go—directions possibly the politicians had put together at that particular time.

So, early on in our committee's work, they had decided on their direction, and it made our deliberations redundant.

However, having put that together, when we look now upon what we have created—this small binder done up in a very picturesque blue—we have really created something that is a condensation. In my office, being a type of orderly individual, I have something like four feet of paper, and that has been condensed into these few pages.

That was a horrendous task and much to the credit of the members on the committee and much to the credit of our staff, and I give accolades to each and every one of our staff who has been named in Hansard by the other members of this Legislature. They did a glowing job, a job not many people in this Legislature are called upon to do. We worked within a time frame and under a commitment that we must get something done and put something on paper. We were trying to give ourselves something more than we have been commended for even by our own members, by the media and by the actual formation of what was taking place.

I believe it was the member for Brant-Oxford-Norfolk (Mr. Nixon), who has sat through most of the deliberations this evening, who from time to time condemned the travelling. I also listened to the member for Riverdale, who gave his reflections on our travel. It is unfortunate that this country is so large, that we do not all gain this advantage of travel. We should have the opportunity to see our fellow Canadians. To go so far north and so far west in such a short time, and to spend many hours on planes, in airports and in motel rooms, was an experience. Yet throughout we were meeting people across Canada who all said, "I am a Canadian," in French or in English.

We saw how they portrayed themselves, how they did want it. The members from Yukon said, "Do you know how much it cost us to travel down to that central part of Canada?" They described how it was extremely expensive. Because of the expense, many people do not see some of the features of this country. We, as legislators, deserve this opportunity because of the duty we have to perform. We get this provided for us and we get that sense of politics, that sense of grandeur, that sense of this country, so we can put it down on paper and show the direction in which we are going.

I am going to try to put this together in the perspective of what we are going to do today and compare it to 1867. I have commented before that the work Mr. Pierre Elliott Trudeau is doing now with this very constitution may be symbolic only, except the great thing will be patriation.

We had some British parliamentarians before our committee unofficially, and they spoke of what may take place. But there is still that feeling of colonialism that is apparent even in Ottawa today, that we will put it together here and give it to them to pass. How much better it would be if we could say to Britain: "Repeal the BNA Act. Let us say goodbye. We have no strings attached to you. You will not have on your books even a vestige of an act that we have put together. Just repeal what is about Canada. We are a big people; we can take care of ourselves."

How much better it would be if our leaders could have come to that conclusion without having one word of the British Parliament to do what we should be doing on this side of the ocean. We are no longer something that has to be dealt with in some other legislative forum in this world. We are on our own. We have not yet achieved this in 1980. We did not have it in 1967, and I do not think we have advanced much further since. But we are still going there.

I would have hoped that we would have come at least to that conclusion, but we must look at all that is going on. I hark back to Mr. Hatfield's words that, if he wanted a constitution, there are many constitutional lawyers out there with one in their desk.

What we are doing cannot be done devoid of what is around us, devoid of the economics, devoid of the politicians, devoid of our social structures, devoid of what is possible within a political system and within a climate that produces constitutions. The constitutions of the world are not produced in a political vacuum; thus, our report is not produced in a political vacuum. It is a consensus, although the exculpatory phrase is at the beginning. Some of us will not agree to some parts of it and some of us will not agree to other parts of it. We must recognize that this constitution and our report are not produced in a social and political vacuum.

I notice the clock is getting down to that zenith hour of 10:30 of the evening and I will adjourn the debate on that. I hope, if it is possible, that we will be given longer time in the future to debate this and possibly the resolution of the federal Parliament.

On motion by Mr. G. Taylor, the debate was adjourned.

**The Deputy Speaker:** Pursuant to standing order 28(a), the member for Downsview (Mr. Di Santo) registered his dissatisfaction with an answer to a question by the Minister of

Consumer and Commercial Relations (Mr. Drea). However, I see neither of those members present. Therefore, I must consider that request withdrawn.

The House adjourned at 10:31 p.m.



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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Friday, October 31, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

FRIDAY, OCTOBER 31, 1980

The House met at 10:03 a.m.

Prayers.

## STATEMENTS BY THE MINISTRY

### CORRECTIONAL SERVICES SELF-SUFFICIENCY PROGRAM

**Hon. Mr. Walker:** Mr. Speaker, I have a statement to make in respect of self-sufficiency. As members of the Legislature will be aware, this is traditionally the night when our younger constituents don all manner of scary costumes and go trick and treating from door to door. I am pleased to inform the House that Rideau Correctional Centre, which is down at Burritt's Rapids south of Ottawa, has helped to make this a happy Hallowe'en night for retarded children, crippled children and children with learning disabilities at a number of facilities in eastern Ontario. On Monday a truck from Rideau distributed more than 400 pumpkins to these facilities for use in pie-making and as jack-o'-lanterns. The pumpkins were grown at Rideau as part of the ministry's self-sufficiency program, with this particular crop having been planted to prepare land for other crop uses next year.

I regret to inform members that plans to donate over 500 of these Hallowe'en pumpkins for sale to raise funds for charities in the London area were scuttled by thieves, by pumpkin stealers, who stole 300 of the larger pumpkins cultivated by the Elgin-Middlesex Detention Centre at London. I will have more to say about this crime in just a moment.

Earlier this year, on March 25 to be exact, I informed the House of the ministry's intention to undertake a five-year program aimed at making our institutions self-sufficient in as many areas as possible. A major target of the program was the \$5-million-a-year food bill of the ministry which I felt could be pared significantly if we could become self-sufficient in the production of essential root crops and vegetables.

During the summer we predicted a saving of \$183,000 for the first year. The \$183,000 estimate was not quite accurate now that

most of the figures are in. I am pleased to announce that we have exceeded our target significantly and have produced a saving of between \$25,000 and \$500,000 after only seven months. Our goal of food self-sufficiency within the next few years now appears to be attainable.

The 810 tons of potatoes produced by inmate labour at correctional institutions across the province will meet all of our potato needs and still leave us with a surplus of some 20 tons. I may say that one jail alone produced something like 500,000 potatoes. If those 500,000 potatoes were laid out end to end, and we tried this to see, it would stretch in a line from here to the airport and back. So we have now produced a fair number of potatoes.

The surplus potatoes, along with a portion of our production of some 400,000 pounds of feed corn, will be traded to the federal correctional services in exchange for turnips, cabbages and carrots to supplement our own supply of these crops, thereby eliminating the need to purchase any of these vegetables on the open market.

In order to meet other food requirements, we also raised poultry and pigs. Fresh eggs and pork are being served at many institutions at considerably reduced costs due to the production of more than 250,000 eggs and 4,300 pounds of dressed pork since we started earlier this year. Inmates tend the poultry and livestock, as well as planting, cultivating and harvesting the crops.

The success of our efforts to become self-sufficient is due to the commitment of ministry staff who have demonstrated ingenuity in developing innovative ways of reducing food costs. Members will remember that the Chatham and Barrie jails took the inmates smelt fishing. Strawberries were picked by inmates at Perth and Chatham jails and maple syrup was produced by inmates at Camp Hillsdale. Surplus smelt and strawberries were shipped to neighbouring institutions. In some instances, surplus vegetables were shared by other government facilities or nonprofit private agencies. For example, the Whitby jail provided corn to the Whitby Psychiatric Hospital and the Maplehurst Correctional Centre at Milton donated surplus

beets, carrots and beans to various nonprofit social agencies.

Up at Owen Sound, the jail shared its overabundance of cucumbers with local hospitals and four nursing homes. In some instances flower beds were converted for use as vegetable gardens, as was the case at Fort Frances jail, where cabbages and lettuce were planted among the flowers. The Chatham jail converted an unused fountain on the front lawn of the jail into the only three-tiered carrot patch in Ontario.

10:10 a.m.

At the outset, I mentioned the theft of 300 large pumpkins in London. These pumpkins were to have been sold by students at Saunders Secondary School, which is in London South, with the proceeds going to various local charities. I understand they did sell 225 of the smaller pumpkins which the thieves seemed to have overlooked. It is my hope that these pumpkin stealers will be captured and, if sent into our care, I can assure you, Mr. Speaker, we have in mind an appropriate job that is in keeping with our self-sufficiency program, perhaps spreading manure to produce increased production.

Our highly successful growing program has been achieved on only 442 acres of land. The size of the gardens has ranged from very small plots within jail walls to large fields on the properties of correctional centres such as Thunder Bay. We plan to double the acreage under cultivation next year and to prepare other land for use in the future, with the expectation that in the fifth year of the program, we will have 2,200 acres under cultivation. During the year we expanded our storage facilities for vegetables and additional space will be constructed during the winter. The savings have already offset the capital costs of some of the equipment utilized in the self-sufficiency program.

I am very pleased with the results of our efforts so far and I would like to take this opportunity to commend the inmates for their work and the staff of the ministry for the energy, commitment and innovation to this program which they have demonstrated.

Mr. Speaker, you may wonder what I am going to do with this pumpkin, and I wondered exactly what I should do with it. I wondered whether I should send it to the member for Brant-Oxford-Norfolk (Mr. Nixon), who has an orange tie on today; I wondered if I should send it to the Minister of Energy (Mr. Welch) with a candle in it; I wondered if I should send it to the Minister of Consumer and Commercial Relations (Mr. Drea)

because when I took the top off there was nothing in it; and I wondered if I should send it to the Premier (Mr. Davis) because it was grown in Brampton at the Ontario Correctional Institute. Finally, I decided the best place to send it is to the Minister of Agriculture and Food (Mr. Henderson), from one pumpkin farmer to another pumpkin farmer, because today is his sixtieth birthday.

**Hon. Mr. Henderson:** Mr. Speaker, if I might respond on this my sixtieth birthday, first, I would have to congratulate the ministry on its production, helping the self-sufficiency of our province. We do not have a hog quota. I am not sure about the egg quota, or whether the minister has sold any on the market, but we are in need of the potatoes in Ontario this year. All in all, this thirty-first day of October is a very happy day for me and I thank the honourable member for it.

**Mr. Speaker:** It has been suggested by the Minister of Industry and Tourism (Mr. Grossman) that I would have a tough time getting a compendium out of that statement. The Provincial Secretary for Social Development is next and the Premier is third on my list.

#### ALBERTA ENERGY POLICY

**Hon. Mr. Davis:** Mr. Speaker, it is nice to have a member of one's caucus who is not only polite, charming and able, but who is prepared on occasion to allow her leader to make a statement and not have to worry about upsetting anyone in the process. Does the member for Renfrew North (Mr. Conway) understand what I am saying?

**Mr. Conway:** I would like to hear something about it. I think it is a disgraceful performance on a morning like this, going on about pumpkins. The Premier should be ashamed to have a government carrying on with a pumpkin mentality.

**Hon. Mr. Davis:** Coming from the honourable member, that is hard to believe.

I would like to comment on the statement by the Premier of Alberta last evening in response to the federal government's budget and national energy program. My colleague the Minister of Energy was to make a statement on the national energy plan included in the federal budget. I have asked him to make that statement early next week so that I might use the opportunity this morning to offer to the people of Ontario my views on the present situation between Alberta and the government of Canada.



Let me say at the outset that three Canadian governments, the government of Mr. Trudeau elected in 1974, the Clark government elected in 1979 and the present government, have all tried unsuccessfully to reach an agreement with the government of Alberta. It is not a recent phenomenon. In the case of the Clark administration, a Prime Minister from Alberta with a minister of energy from the west, worked long and hard to reach an agreement to no avail. Obviously, we are dealing with some very fundamental issues, issues which were accurately described by Mr. Lougheed as questions of ownership.

It is my view that the nature of last night's statement by the Premier of Alberta, while restrained and careful in some respects, is nevertheless a matter of deep regret. While no direct threat is posed to security of supply for Ontarians or Canadians, it will add a liability of \$1 billion to the oil compensation fund in 1981 and \$1.8 billion in 1982, based on present world prices. This will add to the national deficit and the debt load carried by all Canadians.

Quite aside from the present increases already planned for, this new compensation burden for more foreign oil would require an additional increase of \$2.70 a barrel by 1982. This would, as a result of the liability created by Mr. Lougheed last evening, increase the cost to the consumers of Canada by an extra four and one half cents to five cents a gallon in 1981 beyond those increases already planned for.

The impact of last night's statement is economic. It imparts an extra financial burden upon an already tight national economy. This burden is not being imposed on Canadians by any foreign power or by any international collapse but by a Canadian provincial government. This has been done despite one conservative estimate which places Alberta's cumulative revenue from oil and gas from 1980 to 1990 in the \$100-billion range.

It is both sad and of deep concern that one provincial government, presiding over what is the most rapidly expanding economy in the country, should respond to a continued and prolonged disagreement by imposing deep economic penalties on the working men and women, the pensioners, the businessmen and the people of Canada. I note and I respect that Alberta will not allow its actions to pose a threat to security of supply. I am pleased that there are at least some hardships which Canadians are unprepared to impose upon each other in debate over wealth.

My government has been and will continue to be consistent on the basic issues of price, supply and a division of revenues. We opposed Mr. Trudeau's energy position of 1974-79 when it was premised on moving to world price, using excise taxes unfairly and failing to address issues of security of supply. We have maintained that position consistently to the present. We continue to believe that fair Canadian pricing and a division of revenues that respects both producers' rights and the national economic interest must be the guiding principles of any ultimate agreement.

On emotional issues of public policy, perceptions are probably as important factors with which we must deal as the reality. Many Albertans would not believe that last night's statement imposes hardship. Many would believe that they have suffered hardship in previous generations, hardship which must now be readdressed.

10:20 a.m.

Those perceptions, along with countervailing perceptions of inflexibility and unwillingness to share held by others with respect to Alberta, are at the core of our national problem and our challenge. The issue will not be resolved by challenging perceptions of one region with those of another. The issue can be resolved by building a new perception of a fresh start. I will be telexing both the Prime Minister of this country and the Premier of our sister province of Alberta urging that they arrange to begin negotiations anew as soon as possible.

Last night the Premier of Alberta asked whether Canadians would be paying world price if the oil and gas were here in Ontario. Let me say this to him, neither in anger nor in sadness, but in a spirit of frankness and understanding: We have many wonderful resources in this province, both human and natural. Oil and gas in large quantities are not among them. Our wealth, our manufacturing, our industrial heartland is a source of envy and perhaps frustration to some. It is at the core of a feeling of alienation and regionalism for others.

I answer Mr. Lougheed's question by saying that the record on our sharing of our wealth is clear. Ontario corporate profits, Ontario farmers' incomes, Ontario wages have all been taxed by the national government and redistributed nationwide to advance development elsewhere to help build schools, roads and hospitals in other provinces. That is as it should be, and that is as it must be. That is what this country is all about. We

will stand by that sharing view of Canada because it is the only view that will allow this nation to survive. Ontarians have nothing to be ashamed of, and much to be proud of, in terms of our net contribution to others in this nation. Ontarians have done, and will continue to do, their share. Determining what everyone's share is must be the key element in the negotiations that should begin, in my view, immediately.

It becomes clear, even after a brief reading of the national energy program, that if the goal of self-sufficiency in crude oil for Canada is to be met by the end of this decade many bridges will have to be built across the chasms of perception which divide the various regions of this nation. It is my concern that unless bridges are built between the government of Canada and the government of Alberta in the days and weeks immediately ahead of us, the very rich energy potential of this country will not be developed for the benefit of all Canadians in a concerted, constructive and mutually supportive way. The national interest would be served at this point by reopening these negotiations as soon as possible.

The government of this province, as we all understand, has neither the authority to set oil prices nor control over oil production. However, the people of Ontario, as Canadians, have every reason to expect that the national interest will govern the ultimate resolution of this matter. They have the right to expect nothing less.

### CAREER WEEK

Hon. Mrs. Birch: Mr. Speaker, the Ontario youth secretariat is sponsoring the second Career Week in the province beginning Monday, November 3. Members will recall the activities that took place in their communities last year which assisted young people in learning about career choices open to them. This year similar programs are being conducted across Canada and in the United States.

Members will have received copies of the youth secretariat's Career Week kit of informational material. It has been designed to encourage discussion and exchange of information among young people and educators, the business community, service clubs, labour and trade organizations. The kit has been distributed to educational institutions and communities throughout the province.

My parliamentary assistant, the member for Mississauga North (Mr. Jones), and I hope that many of you will be participating in

Career Week events in your own constituencies. A wide range of activities, from guest speakers in the classroom to plant tours and career fairs, is taking place this week around Ontario's theme, "Is a Career a Job?"

The Canada Employment and Immigration Commission and many other groups have worked with the youth secretariat, among them, the Ontario Secondary School Headmasters' Association, the Ontario Teachers' Federation and its affiliates, the Ontario School Counsellors' Association, and the Canadian Armed Forces.

This kind of co-operative effort on behalf of our young people can only be positive and rewarding for all concerned.

### NIAGARA ESCARPMENT DEVELOPMENT

Hon. Mr. Bennett: Mr. Speaker, I would like to take this opportunity to respond to a question of privilege raised by the member for Welland-Thorold (Mr. Swart) in the question that was put to me on October 20, relating to amendment number 33 to the Beaver Valley official plan.

At the time, I replied to the member that to the best of my knowledge the amendment had not appeared on my desk and that I was therefore not aware of the background to this amendment and it would hardly be appropriate for me to try to reply to the questions at that time. I then stated I would review the case to bring myself up to date on the matter and report my decision on the findings to this House.

The following day, Tuesday, I met with some of the staff of the planning wing of the Ministry of Housing who were in the final stages of processing this particular amendment as submitted to us. The staff report stated that there were 11 requests—not three—for referral of this amendment to the Ontario Municipal Board. On Monday the honourable member stated there were only three such requests.

As these requests all appear to have been made in good faith, I concurred with these requests and duly referred the amendment to the Ontario Municipal Board. On Tuesday afternoon I reported the position I had taken to this Legislature. On Thursday the member raised the point of order in my absence. He went on to state that I knew all about this particular amendment on the preceding Monday and thereby breached House privileges.

I can only state that my ministry receives literally hundreds of official plan amendments



from all across the province of Ontario; something in the range of better than 500 per year. It may surprise the member opposite to hear that I do not read these amendments in their entirety at the time they are submitted to me. I do take the opportunity of receiving them, acknowledging them and submitting them to the ministry for referral to various other agencies and ministries in the government of Ontario to get input on the request of the municipality.

Similarly, when they come back to me we then acknowledge, if there are requests for referrals to the OMB, what we are going to do. In this particular case I did acknowledge at the time the amendment was received that 11 requests for referral of that amendment had been submitted to me, as the minister. In reality, they are submitted to the ministry, not to the minister. We acknowledge to people that their request for referral has been received, which I think is what this House would want the minister to do.

I make no apologies to this House. I took the action I thought was necessary. At the time the question was asked I was not personally aware of the amendment being reviewed within my ministry. The following day, as a result of the question, the ministry staff brought me up to date on the fact that it should be referred, and that they were going to report to me that day anyway. The member asked that I reconsider whether the plan should be referred in light of the three requests for referral that could be withdrawn. I gather he felt he could get them to withdraw. There were 11 and they appeared to be reasonable; they appeared to be in the best interest of the planning of Ontario and it was referred.

**Mr. Swart:** Perhaps, Mr. Speaker, you will permit me to draw another dimension of this question of privilege to your attention? I must accept the minister's reply—because I have to—about not knowing about this although he had sent a letter out, but I must say that, with his light portfolio, if he cannot remember a 300-acre development on the escarpment which is somewhat similar to Cantrakon, perhaps it is time the Premier should think about a new Minister of Housing.

10:30 a.m.

The real issue that I raised—the second part of the question of privilege which was not replied to—is this: On Monday of last week my question was about two alternatives—the minister turning down the application—and that issue is before the House—or

referring it to the Ontario Municipal Board. He said he didn't know anything about it and would report on it the next day. But when he reported on it the next day no alternative was before the House because he had already referred it to the Ontario Municipal Board.

There may be many members who would have wanted to discuss these alternatives under the question. I respectfully suggest to you, Mr. Speaker, you should rule that he has violated the privileges of the members of the House in that action.

**Hon. Mr. Bennett:** Perhaps the member should read Hansard. I made it very clear that I would review the case and report to the House. I was not indicating that I was going to take that member's suggestion in any way, shape or form. I reviewed the case, made the decision and it has gone to the OMB, where we believe the best decision will be made—and not by the member, because he would have the thing so buggered up we wouldn't know what was going on.

## ORAL QUESTIONS

### ALBERTA ENERGY POLICY

**Mr. S. Smith:** Mr. Speaker, I would like to direct a question to the Premier. I welcome the Premier's statement on the important statement made to the Alberta audience by the Premier of Alberta last night. I share the Premier's obvious very deep concern and regret concerning that statement.

As my first question to the Premier I would like to ask whether he has yet had a chance to be informed by his staff what the implications would be for Ontario? Apart from the fact there would be an additional amount of money to be paid and a higher price for oil, what would be the implications in terms of employment and the increase in unemployment in Ontario and what would be the implications in particular for the petrochemical industry?

This industry has benefited from the fact there have been relatively higher prices for oil, especially with the Middle East war, and has benefited from the lower Canadian price compared with the price European and other competitors have had to pay. If this statement were to be implemented, as Premier Lougheed has suggested, what would be the implications for our own petrochemical industry, which might lose this very important advantage?

**Hon. Mr. Davis:** Mr. Speaker, I think it is a little early to calculate accurately because

of the condition of the oil market. We have based our immediate figures on world price, so the overall impact is around \$1 billion for 1981 and \$1.8 billion for 1982, if the 15 per cent reduction of supply is Alberta's target.

A lot will depend on just what prices the government of Canada must pay for spot purchases in the world market, which I am told vary substantially. On many occasions oil can be purchased at less than world price and I guess on the odd occasion above world price. At this moment I am told there is something of a surplus. I think we are looking at the potential of a 15 per cent reduction in terms of domestic supply.

I think the mathematics would be relatively simple. If we took our petrochemical industry, for instance, and if we pro rate that—which I don't necessarily think one need do—it may be that the petrochemical industry will not be affected in any way, but the maximum effect would be 15 per cent, say, of their feedstock. If 15 per cent of their feedstock were increased in terms of price, balanced against the 85 per cent at what is still substantially below the competitive price in the United States, then I think one can say with real assurance that it will not impact in terms of their competitive position.

I think one must also calculate in that 15 per cent as it relates to other users of crude. Then one can fairly easily determine that the economic impact will be greater for some industries than for others.

But our concern is not just over the economic impact where we can give the member a rough idea in total dollars. I can't give him the figures as they affect individual industries, but the net effect on the national economy is, I think, most unfortunate. It comes at a time when the national economy needs some stimulation, as the Treasurer said yesterday. It does not need this additional burden imposed upon it. But I can assure the Leader of the Opposition, particularly in the petrochemical industry, and I am just doing the mathematics as I am standing here, my guess is it will not have an adverse impact on their competitive position vis-à-vis the United States.

**Mr. S. Smith:** Given that the Premier is quite correct, negotiations have to go along for the next three months or so, as the Premier of Alberta in a sense signalled to the country yesterday. Would the Premier agree that when the country is facing perhaps a million unemployed and a very important balance of payments problem, to have the country forced to spend about \$2 billion a

year extra outside the country is really an unacceptable situation and one that cannot be imposed on the national fabric by one provincial leader without a very serious strain of that national fabric?

Would the Premier not agree, after negotiations in good faith take place, ultimately the responsibility will have to rest with the federal government to respond to this challenge and ultimately the ability to set the price will be the responsibility of the federal government?

**Hon. Mr. Davis:** If the honourable member is asking me to boil down the question of whether the ultimate responsibility in cases of disagreement is on the government of Canada to set the price, that is really the function of the present legislation. It is what Mr. MacEachen said on Tuesday evening, and it is the route the government of Canada must of necessity go.

I have always felt it would be far better if an agreement could be reached, but that is not the only issue. It is not just the issue of setting the price, and here we are getting into interpretations of the law, which I am always reluctant to do. I look at the member for Kitchener (Mr. Breithaupt) who is far more knowledgeable than I am. But on the assumption the Petroleum Administration Act is constitutional, then they have this right. That is not at issue.

What is at issue is the right of a province regarding this particular resource—in that they do own the resource, about which there is no dispute—whether or not they have the legal right to control the rate of production. And I think a number of people would argue they have the legal right, perhaps not to determine price, that is not really the issue we are faced with. The issue we are faced with, and I am sure the Leader of the Opposition senses this, is the ability of a province to control their rate of production or the rate of flow out of that particular province. That is where this issue now rests.

It would be easy to use a lot of excessive rhetoric on this occasion. It would be easy to join those who would attempt to polarize this issue, but I genuinely believe that in the interests of all of us, the rhetoric should not be subdued to the extent of not stating a point of view, rather our efforts should be directed towards bringing the two governments to a closer form of understanding and agreement. I cannot assure the members of the House that Alberta does not have the right to reduce the supply or the production. We will not argue for a moment; we have



always stated this position, as I say with some regret, if there is a disagreement, the government of Canada in our view has that responsibility and we believe they have that legislative authority. It would be far better if it could be resolved in some other fashion.

**Mr. Speaker:** A new question.

**Mr. S. Smith:** I have a supplementary. If the other party does not wish a supplementary, I do, Mr. Speaker.

**Mr. Renwick:** Mr. Speaker, the point of confusion is that the second question of the Leader of the Opposition was not supplementary to the first question.

**Mr. S. Smith:** I understood the Speaker accepted the question as being in order.

As my final supplementary, the announced attempt by the Premier of Alberta to start in three months' time to control and reduce supply is clearly an attempt on his part to affect price. He is saying to Canada, "You are either going to have to ship \$2 billion out of the country or you are going to have to send more money to me in Alberta."

10:40 a.m.

Given that situation, given negotiations in good faith should continue, as the Premier has telexed or will telex—and we agree on that—does the Premier not agree that if still no agreement can be reached, ultimately it will be the responsibility of the federal government to deal with the situation in such a manner that the country will not be forced at the decision of one provincial Premier to send billions of dollars outside at a time of crisis and unemployment?

**Hon. Mr. Davis:** With great respect, I already answered that. I said that in our view, if there is no agreement, the government of Canada had that responsibility. All I am pointing out to the Leader of the Opposition, and I hope he understands this, is that, while we believe they have the right and the responsibility, that does not in itself solve the problem in terms of security of supply or of the development of some of the other areas of Alberta.

I am concerned because this has a direct impact not just in terms of security, but on the economic situation here in this province. When the tar sands Syncrude plant is committed we are the beneficiaries in terms of many of the materials that are involved in the construction of that particular facility. So I think I answered the honourable member's supplementary question. I cannot say it any more clearly. Yes. That does not necessarily

solve the problem, which is what I am concerned about.

## HOSPITAL INTERNS

**Mr. S. Smith:** A question for the Minister of Health, Mr. Speaker: Will the Minister of Health tell the House what his plans are in dealing with the strike which has commenced of residents and interns? Will the minister not admit that no matter how many times this problem has been examined, the answer has always come back that those people are both students and employees, and that they do render an important and necessary service? That being the case, why would the minister not move to give these residents and interns the very same rights other hospital employees have, namely, compulsory binding arbitration, which is all they have asked for these many years?

**Hon. Mr. Timbrell:** Mr. Speaker, it has been our view all along that the best solution would be one that was mutually agreed on by the parties involved, namely, PAIRO—the Professional Association of Internes and Residents of Ontario—and the teaching hospitals. To that end we have tried for a number of months to keep the parties talking, most recently on Wednesday and Thursday. Starting Wednesday morning, the Minister of Colleges and Universities (Miss Stephenson) and I, along with staff of the two ministries, convened a series of meetings that in effect lasted until about one or two o'clock this morning, in an attempt to bring the parties to an agreement.

As a result of the first meeting on Monday, an offer was made by the teaching hospitals to the interns and residents to bring in voluntary binding arbitration under the Arbitrations Act, which would last for two years, recognizing that the cumulative 32 per cent increase for 1979 and 1980 was already agreed to by them and by the Ministry of Health and paid, on the condition that before June 30, 1982—in other words, six months before this voluntary binding arbitration offer would run out—a task force appointed by the ministry and representative of the interns and residents, of the teaching community, of the faculties and of the public interest, would examine the issue and try to come up with a mechanism that would be satisfactory to both sides and would be binding on both and final.

I have been assured by the heads of the teaching hospitals that services are being and will be maintained, and at this point we are keeping lines of communication open

with both sides and will do everything we can to try to bring them to a mutually satisfactory understanding. I think this is the best way to go about it.

**Mr. S. Smith:** Will the minister not admit that the offer of so-called voluntary binding arbitration was applicable only to wages and to no other question? Will he not admit, further, that the offer contained a clause which said that was only temporary? Will he not admit, further, that the offer also contained a clause which said the Teplitsky report had to be simply not referred to in any of the negotiations, in terms of what that gentleman had to say with regard to working conditions or hours of work, or things of this kind?

Will he not admit further that there are many other totally unacceptable clauses there, and would the solution not simply be to recognize the reality, which is that it is impossible to separate the fact they are, on the one hand, students and, on the other hand, service providers and necessary service providers at that? Every person in every province of Canada who has looked at that has come to that conclusion and I know this from my personal experience. Why not accept that and say for that portion that has to do with their services as opposed to their studentship they are to have binding arbitration, so that we do not have strikes in essential services?

**Hon. Mr. Timbrell:** First, with the 32 per cent increase having been granted, I do not think this strike is necessary. Second, I believe that all doctors are essential. Third, I believe the offer made to PAIRO covered compensation and benefits. I could be wrong, but my recollection of the meeting we held Wednesday morning was that the representatives of PAIRO indicated they clearly understood that those matters relating to education were not matters on which they wanted to bargain. They are matters which are presently before the clinical education committee of the Ontario Council of Health under the chairmanship of Mr. Martin, the former Deputy Minister of Health and the former chairman of the council.

With respect, I do not think the member is reflecting what is, in fact, their position. I still believe the ultimate best solution is to bring the parties together, and I think we were very close. We will continue to do everything possible to bring them together in a matter of a few days. I should say that the kind of proposition the member proposes is not unlike what some had to say a decade

ago about the question of student nurses. When we made the changes in the teaching program for the nurses, the dire predictions about removing them from the wards on a day-to-day basis never came to fruition.

**Mr. Renwick:** Mr. Speaker, a supplementary: Will the minister categorically state it is unacceptable to the Minister of Health of this province to have any move made which would reduce the interns and others in the hospital to the role of students and thus destroy their bargaining position? Will the minister categorically make that statement in order to relieve one of the basic and fundamental fears which has led to this withdrawal of services?

**Hon. Mr. Timbrell:** Mr. Speaker, I am not sure what is behind the honourable member's question, but let me say it is, of course, a condition of the licence to practise medicine in Ontario that one takes an internship. It is a condition of the granting of a certificate of a specialty licence by the College of Physicians and Surgeons of Ontario that one has a residency in an approved facility.

**Mr. Renwick:** I don't need an elementary lecture about the position of a doctor in the province. This is part of the—

**Hon. Mr. Timbrell:** Would the member like to hear the answer?

**Mr. Renwick:** Not the minister's answer, but the answer to my question.

**Hon. Mr. Timbrell:** We already knew the member did not want an answer—

**Mr. Speaker:** Order.

## ALBERTA ENERGY POLICY

**Mr. Renwick:** Mr. Speaker, with the subdued rhetoric of the Premier's statement this morning, it makes it rather difficult to get to the fundamentals of the problem with which the country is faced. I accept the gravity of the position as stated by the Premier in response to Premier Lougheed's statement last night, but is it not time for the Premier of this province, rather than reiterating the intransigent position which he has taken for so long on this issue, to provide some initiative with respect to what is a problem between Alberta and Ontario—certainly the major part of the burden will be borne by Ontario—and take some other imaginative initiative to break out of the cul-de-sac that he is in, and not simply reduce his participation to sending telexes to the Premier of Alberta and the Prime Minister? Is there not



another role for the Premier of this province to play at this time?

**Hon. Mr. Davis:** Mr. Speaker, the member for Riverdale probably did not know he was going to be asking the questions for the New Democratic Party this morning and, as a result, has such a fuzzy question to ask at the outset. With great respect, I say to the member for Riverdale, either he has not been listening and paying any attention or he does not understand the issue.

There is nothing intransigent about the position of this province in terms of energy pricing. Our position has been there, it has been clear, and I think it has been reasonable. If the member disagrees with it, if he thinks we should be moving more rapidly to world price, if he disagrees with some of the positions we have taken, then will he please stand up and say so? He should not say to me, "Is there some new, imaginative approach?"

10:50 a.m.

The member knows as well as I do that the issue is very simple. The issue gets down to the question of pricing and the amount of money the producing provinces are to receive vis-à-vis the companies and the government of Canada. He knows full well, in the context of the constitutional debate—and if he does not, he should—that no one has ever disputed ownership in terms of the resource sector. I am not disputing it. Will the member please tell me, in his own creative, imaginative way, where the position of Ontario has in any way inhibited or impeded the agreement being reached between the producing provinces and the government of Canada?

If the member is going to say that, in terms of our view of price, we desire to have a Canadian price, if he is saying the New Democratic Party has had some divine revelation since last evening and now is prepared to support the position of the producing provinces, whereby they want an even greater share of the revenues—perhaps Mr. Blakeney called him—then I will be delighted to hear it, because it is not what he has been saying for the past six years.

**Mr. Renwick:** Mr. Speaker, I always appreciate a lecture from the Premier on Friday morning.

Is the Premier prepared at this point to recognize the fundamental inequity of the price currently fixed by the government of Canada for oil from Alberta when compared with the world price? Leaving aside the

budget statement of Mr. MacEachen a couple of nights ago, leaving aside those adjustments, the present price being paid for the conventional oil of Alberta is \$16.75 a barrel. The foreign price, as fixed under the Petroleum Administration Act, is \$38 per barrel at present.

Does the Premier of this province not recognize that, until he addresses that fundamental inequity and as long as he does not provide a condition precedent to the discussion of that province, he is the fundamental barrier to agreement between the government of Canada and the government of Alberta about this matter?

**Hon. Mr. Davis:** With great respect to the member for Riverdale, who on most occasions is reasonably logical and intelligent, the only thing I can assume from his question—and I am sure all of us on this side of the House will be delighted to know this—is that the new position of the New Democratic Party of Ontario is to move immediately to world price or 85 per cent of world price, which is the position of the producing provinces. That is exactly what he is saying.

If he says my position is different from that, he is quite right. I believe in a graduated approach to 75 per cent of world price. We have always said that. We have accepted the fact that it is going to happen and the fact that it is happening. I have listened to his leader and I have listened to his national leader; you have all been talking about world price. They have never agreed that the producing provinces should have "world price." If the member is saying that today—sure, he is on the record of May 1976—I say to him, he really did not do his homework to ask that question of me here this morning.

**Mr. S. Smith:** Supplementary, Mr. Speaker: The Premier has just said his position has always been to take a graduated approach towards 75 per cent of the world price. Will the Premier direct me to the portion of the document Energy Security for the Eighties: A Policy for Ontario, issued in September 1979, that had that position in it? I am having trouble finding that position.

**Hon. Mr. Davis:** If the honourable member has not heard me say this before, I will repeat it for him. I will say this has been a point of view. In fact, I have given credit to the Premier of Alberta, who accepted the figure of 75 per cent of world price. I thanked him for it.

I realize our pricing approach is very different from that of the opposition, which

one day is world price, the next day it is that Alberta should get nothing, and the next day is world price. One never knows what their position is.

The Leader of the Opposition has been on the record for world price so many times it hurts him, and I know it hurts him. We are going to remind everybody of that.

**Mr. S. Smith:** On a point of privilege, Mr. Speaker: As I have said repeatedly in this House, and the record will show, back in 1976 we said there had to be a graduated approach, gradually approaching towards—and “towards” is the important word—world price as world price moves. That is exactly what the Premier has just said today: a graduated approach to 75 per cent of world price. That is precisely the same proposition we put in 1976. He continues to distort that record, and I think it is about time he told the truth.

Interjections.

**Mr. Speaker:** Order. Order.

**Hon. Mr. Davis:** Mr. Speaker, the record will show that when it comes to matters of distortion I am an amateur compared with the Leader of the Opposition.

#### ACTIVITIES OF RCMP

**Mr. Renwick:** Mr. Speaker, in the absence of the Attorney General from the assembly yesterday I had an opportunity to study at greater length the intervention of the Attorney General before his worship Justice of the Peace Allen yesterday. It resulted in staying the proceedings with respect to the issue of information leading to charges against two Royal Canadian Mounted Police officers. I find the statement, in some of its particulars, incredible.

Will the Attorney General answer a couple of questions? Does he not agree that the so-called inherent contradiction—what a delightful legal phrase—about whether crimes can be committed in the national interest does not permit him to use that as an argument for staying proceedings with respect to two citizens who want to issue process against two RCMP officers?

Will the Attorney General tell the assembly whether this is a permanent stay or what his intentions are with respect to this and other matters which may result from the intervention by the RCMP in a criminal way in the activities of citizens of this province?

**Hon. Mr. McMurtry:** Mr. Speaker, I think it is important that I take a little care and time in answering this question, because I

think the member for Riverdale has a basic misunderstanding as to what has occurred.

I want to make it clear that I appreciate this is a complex matter. For that reason when counsel intervened yesterday I was anxious that counsel have a prepared statement to make which in turn could be distributed. Copies were given to the justice critics in the hope that there would be no misunderstanding as to what has occurred. The 20-page statement containing the submissions of counsel have been made public as well as given to the justice critics.

First of all, it should be made clear to the members of the Legislature that the OPP investigation was carried out under the leadership and direction of a very experienced police officer who went into this matter with extreme thoroughness and care. As the statement pointed out, at all stages of the investigation he received the advice of very senior law officers of the crown. At the conclusion of his investigation, given the evidence that has been made available to date, he came to the conclusion that he did not have reasonable and probable grounds on which to lay a charge.

It was the opinion of an experienced police officer that there were not grounds that would cause an experienced police officer to have the requisite belief to lay an information. As has been pointed out, a private citizen sought to lay an information. It was the opinion of the crown law officers, in which opinion I concurred, on the basis of the investigation to date and on the broader public principles relating to prosecutorial discretion, that any prosecution would be stayed at this point. This is not a permanent stay.

11 a.m.

As the statement indicates, one of the important issues in this matter, in my view, was what direction the federal government was giving the RCMP with respect to this issue of inherent contradiction. That issue, which first came to light in 1970, from what we have been able to learn from the federal cabinet, is whether the national security force acting in what they believed to be the national interest in relation to security matters would be invited to break the law. Of course, that is the inherent contradiction: the concept of our national police force, acting in the national interest, breaking the law of the land.

One of the crucial issues directed to the federal Solicitor General when certain information came to light recently was whether the federal government had set a policy or



given direction to the RCMP at or about the time this Operation Checkmate was carried on. The response of the federal Solicitor General, quite frankly, was somewhat disappointing inasmuch as he said the very questions I was directing to him had been asked by the McDonald commission and that answers had been given to the McDonald commission but this information would not be made available to me, notwithstanding the fact we made it clear the criminal investigation must take precedence over a royal commission in these circumstances. But, at the same time, the federal Solicitor General stated that all of this information would be available not later than March 31, 1981, in view of an order in council passed by the federal cabinet just a week ago requiring a report by that date. This additional information would then be made available.

We also learned through the newspapers earlier in the week that four additional transcripts of evidence had been just released by the McDonald commission. Obviously, it was information we had sought but had not been made available to us. Of course, these transcripts will be examined with great care.

It is my view, concurring with the view of the senior law officers, that no final decision should be made in this matter until all this information is available. We have been assured by the federal government that it will be made available not later than March 31, 1981. Naturally, we would have preferred it to have been made available some time ago. But in view of that, quite apart from the decision made by experienced police officers not to lay a charge, if a private citizen were to lay a charge then the prosecution would be stayed until this additional information was available. That is relevant to any prosecution.

**Interjections.**

**Mr. Speaker:** Order. It took almost seven minutes for that answer. It was far closer to a statement than an answer to a direct question. We will add five minutes to the question period. I would caution members to be much crisper and more precise with both the questions and the answers.

**Mr. Renwick:** I accept what the Attorney General has said, that this is a temporary stay of proceedings. I want him to say categorically in this assembly that it is a temporary stay of proceedings. Why is it the statement that was made on his behalf in the court before Justice of the Peace Allen yesterday did not so state?

**Hon. Mr. McMurtry:** I think it is fairly clear. In any event, when we say a temporary stay of proceedings, whether it is a temporary stay or a permanent stay no decision will be made one way or the other until this additional information is made available. I cannot give an undertaking that it is not a permanent stay. All I can give is an undertaking that no decision has been made in that respect and no decision will be made in that respect until this additional information is made available.

Mr. Speaker, I would like to say with the greatest respect to you, sir, that I appreciate the difficulty of long answers, but this matter was the subject of a very carefully written, 20-page submission made to the court yesterday. The question that was raised by the member for Riverdale raised a lot of complex issues, and I do not believe that it could be properly responded to any more briefly.

#### PNEUMATIC TOOL HAZARDS

**Mr. B. Newman:** Mr. Speaker, I have a question of the Minister of Labour. Is the minister aware of the increasing use of hand-held pneumatic drills, gasoline powered chain-saws and other vibrating tools? Is the minister aware that a study of 500 foundry workers done by Mr. Don Wasserman, director of vibration studies for the National Institute for Occupational Safety and Health in the United States, has found that 20 per cent of the employees using pneumatic impact hammers had symptoms of Raynaud's disease—a disease causing periodic spasms of blood vessels in the fingers which cuts off the blood supply to the fingers, which in turn causes them to become white, numb and painful? What action does the minister plan on taking to protect the health and safety of employees using such tools?

**Hon. Mr. Elgie:** Mr. Speaker, yes, I am aware of the use of certain vibrating instruments in the work place, and I trust the member does not want to comment upon the widespread use of vibrators in society.

The issue of Raynaud's phenomenon—as it really is called—has some implications. There are two categories that fall within that; there is the disease and the syndrome. The syndrome is something that can be acquired, which is what the member is talking about, and the disease has a hereditary element to it; that sometimes causes confusion.

In this province, under the Workmen's Compensation Act, at this time such claims for a work-related problem are compensable

and indeed many hundred claims are accepted on an annual basis.

From the point of view of whether I am aware of the increasing use, yes, of course there is always some increase in the type of machinery used and some vibration quality to it and we continue to monitor it.

**Mr. B. Newman:** Can the minister explain why, when individuals who suffer from the numbness of the fingers complain to the Workmen's Compensation Board, they have difficulty in getting their claims accepted?

**Hon. Mr. Elgie:** I am not sure that is so, because there were 209 persons in 1979 whose claims for permanent disability were accepted. This year, to date, there have been 108.

As I said before, I think some of the problem may arise as to whether it is Raynaud's phenomenon related to work or whether there is a hereditary element to it that has been present since birth. That may cause some problems in evaluating it from the point of view of the Workmen's Compensation Board, but there is no suggestion—at least that I am aware of—that the board does not accept it as a legitimate compensable injury.

#### BANKRUPTCY OF HAULAGE FIRMS

**Mr. Mackenzie:** Mr. Speaker, I am not sure whether the Attorney General is in the House, but there was some doubt in my mind as to whether the question was really for him or the Minister of Consumer and Commercial Relations; so I will try it there.

Is the minister aware of the ongoing saga of Allan Fracassi and Enzo Fracassi in Hamilton, who appear to own and control Enzo Haulage and Excavation Limited, L and N Industrial Haulers and SAF Industrial Haulage of Hamilton, and who are now contracting with a number of firms, including Stelco and Dofasco in Hamilton?

11:10 a.m.

Those haulage companies went into receivership in July of this year owing, among many other bills, better than \$26,000 in wages plus benefits to some 30 drivers? These men have not received their money in spite of actions being commenced by the employment standards division.

These same companies now are back in business. They have made some arrangement with the receivers—we can't get to the bottom of it—for their equipment, such as their

floats, dumps and welding equipment. They are now undertaking exactly the same work back in the same companies. Will he tell us what we have to offer the drivers in terms of some redress to prevent such a lousy and sleazy operation to continue?

**Hon. Mr. Drea:** Mr. Speaker, I can probably answer the question as well as my colleague. To get to the bottom of this, I am going to have to go to my federal colleague the Minister of Consumer and Corporate Affairs. It obviously involves bankruptcy, which is in the federal sphere. I will do that for the member forthwith.

However, I would be remiss in my obligations to this House were I not to comment publicly on the fact that Canada needs a new Bankruptcy Act one hell of a lot more than it needs a new Bank Act. This has been brought to the attention of the federal government by virtually every province, not just as governments but also out in the private sector—companies, employees, particularly the Ministry of Labour, creditors et cetera.

There was an agreement reached among federal and provincial ministers in the fall of last year in St. John's, Newfoundland, that the new Bankruptcy Act would be brought forward in January 1980. Unfortunately that was prior to the cessation of Parliament because of the election. Incidentally, the Bankruptcy Act revisions are ready to go, because the civil servant who has been drafting them for a number of years was in the room that day and immediately flew back to Ottawa overjoyed.

We are certainly pressing the federal government for a new Bankruptcy Act, because the fundamental truth of the matter is that the present Bankruptcy Act is really no protection to anybody.

In response to the member's question, I will get the information from the superintendent of bankruptcy in the federal sphere as rapidly as possible. For the information of all members of the House, in addition to getting it to the member for Hamilton East I will table a complete report on the matter.

**Mr. Mackenzie:** I am pleased that the minister has indicated the inadequacies of the federal legislation. Can I now ask him, in view of the talks that have been going on over the federal Bankruptcy Act, has this province made representation to the federal authorities that guaranteeing workers' wages will be a priority in cases of bankruptcy? Have we made those specific recommenda-



tions? If we have not, is the minister prepared to make such recommendations to the federal authorities in a hurry?

**Hon. Mr. Drea:** I think the honourable member has to acknowledge that the representation this ministry has made—indeed, made by every minister from the inception of this ministry—has been on the conceptual points. I defer to my colleague the Minister of Labour on those specifics which touch upon his ability to enforce this legislation. He has been kind enough to tell me he has made that representation.

At the moment there appears to be a complete hiatus. As I say, the whole thrust financially is the Bank Act. The Bank Act may be important, but I would hope the Bankruptcy Act would get the same type of—

**Mr. Speaker:** With respect, the honourable minister is becoming repetitious.

### SALES TAX

**Mr. Ramsay:** Mr. Speaker, my question is to the Treasurer. The media are speculating from his remarks yesterday that there may be a reduction in the provincial sales tax. I suggest this is effectively causing potential purchasers of automobiles and other major consumer products to hesitate or hold off at a time when the automobile industry in particular needs all the encouragement it can get in moving inventory and attracting new orders. Can the Treasurer clarify his position and possibly elaborate on his statement of yesterday?

**Hon. F. S. Miller:** Mr. Speaker, obviously I cannot discuss details of a potential budget. I can say this: When questioned by the press yesterday and a month ago in Ottawa, when I made the proposal to Mr. MacEachen that there should be some kind of shared sales tax rebate program, I was asked what kinds of products I would support. The answer was that the only objective was to create employment in this province and therefore any program should be directed at those things made in this province.

While I cannot be bound by this, in that statement I did specifically say cars would not qualify, because 80 per cent of the cars sold in this province are imported from outside of the province, and 80 per cent of the cars made in the province are exported outside of the province. That reasoning still seems valid.

**Mr. Peterson:** Supplementary, Mr. Speaker: Why will the Treasurer not stand up now and publicly renounce some of the

silly ideas that have been attributed to him and some he has invoked in the past, such as sales tax cuts at Christmas time when they are not necessary and, since we import a high percentage of our manufactured goods, do not stimulate production here?

The point made by the member for Sault Ste. Marie is a good one. Why will the Treasurer not stand up now and get rid of all this speculation about some of the silly ideas he has had and executed in the past, which have not worked in the past and will not work now? Why will he not just say it will not happen, and clear up all this confusion?

**Hon. F. S. Miller:** The honourable member has every right to say things did not work. But he should ask the people who were affected by the programs of 1975, 1978 and 1979. I would argue that the programs had a very valid economic impact. We have had studies to prove our point, and I hope the member has read them—independent studies by groups which have the required credibility.

I suggest to the member that the purpose of any program is not necessarily to increase total sales but to bring them into a time frame where they do the most good. When the economy is likely to recover by mid-June or mid-July and yet there is the deep trough we have been in for some time, it is obviously a government's responsibility to even up the cycle.

### AUTO INSURANCE

**Mr. Bradley:** Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. Is the minister aware that some citizens who reach the age of 80 are being denied automobile insurance coverage by certain companies in this province, as is a Mr. George Stevens in the city of St. Catharines, who upon reaching the age of 80 was informed that his coverage would not be renewed even though he had been accident-free for some 20 years? He received this notification a very short time before his insurance expired. Is the minister aware that this is happening in the province?

**Hon. Mr. Drea:** Mr. Speaker, the insurance companies have been told that practice is to cease. From time to time, an instance shows up and if the member will give me the name of the company, they will be told to cut it out.

**Mr. Bradley:** Yes, I will be prepared to do that.

**Hon. Mr. Drea:** I want to make it very plain that this is based upon there being no medical impairment. I presume no medical impairment has been reported by any physician in the matter.

**Mr. Bradley:** That is correct.

While I appreciate the fact that the minister will act on this particular instance, is he prepared to enact legislation or to bring about a regulation which would require that insurance companies do provide coverage to people if there is no legitimate reason for not providing it? Since we now have compulsory insurance in this province, they can take advantage of the low-risk drivers to compensate for those who might be a high risk for some reason.

**Hon. Mr. Drea:** First of all, just to reverse that: An 80-year-old, from an actuarial point of view, is not necessarily a high risk. In fact, that is very attractive business; an 80-year-old, because of lifestyle, tends to drive much less and does not drive under hazardous weather conditions and so forth as the member or I might.

**Mr. Cunningham:** That's an insult to your caucus.

11:20 a.m.

**Hon. Mr. Drea:** The member does not like my approach on automobile insurance?

I just want to clarify this for the Legislature. I do not need legislation or regulations in this matter. There are directives and agreements put out by the superintendent of insurance, and they are just as enforceable as legislation. They are out there and they have been accepted. There is to be no discrimination because of age. There is to be no surcharge simply because of reaching the age of 65. There may be some circumstances in individual cases and so forth, but they have to be looked at individually. If the member will give me the particulars of that, I will look into it.

There is a ruling out there that senior citizens are entitled to insurance without surcharge and, let me go further, without a mandatory medical. If one needs a mandatory medical, there are requirements under the Ministry of Transportation and Communications about eye tests. But there is no need for an automatic mandatory medical examination of senior citizens or anybody else in this province, because we have different legislation here compared with that in the United States. The physician must report at any time.

## AID TO PENSIONERS

**Ms. Bryden:** Mr. Speaker, I have a question for the Minister of Revenue. The administration of the seniors' property tax grant seems to be turning out to be a disaster similar to the ministry's home buyers' grant of a few years ago.

Is the minister aware that more than 100,000 seniors, who have not yet received their grants and who have not been able to get through on the phones to find out what is happening, are coming to Queen's Park in person? All the brochures give the address as Queen's Park, Toronto, and they are being told they must go up to 77 Bloor Street West, which means another taxi or getting back on to the subway and going to some other place. Can the minister not set up an information centre in the lobby of Queen's Park here where they could at least obtain blank application forms when they have spoiled them, and perhaps a person who could phone and find out if their applications have been received?

**Hon. Mr. Maeck:** Mr. Speaker, just this morning I sent over to the members of the third party an ad that will be appearing in the newspapers this weekend. That ad gives the 100,000 figure that the member is quoting; so there is no question I am very much aware of the fact that there are something like 100,000 applications that were incomplete. In other words, some of them were not signed and some of them did not contain the amount of taxes they paid or the amount of rent they paid and so on. So those people have to be contacted by the ministry, mostly by telephone if possible, if not, obviously by mail. We expect to have those processed completely by the end of November, and that should clean up all the backlog we have.

I am aware of the situation. It was drawn to my attention, I think the day before yesterday, that there are some seniors appearing here in the Legislature, at least on the first floor, and making inquiries. They obviously had to go to 77 Bloor Street West to get the attention they were requesting.

I did send over to the third party a copy of the ad that will appear in the newspaper this weekend, in which the address is now given as 77 Bloor Street West. I regret it was not put in all the other ads, rather than the Queen's Park address, but I guess all members should have realized by now that this is a brand-new program and some mistakes have been made in the way it has



been administered. Under the circumstances, the staff have done exceedingly well in trying to administer such a massive program, and it is a very massive one. Some of the things that are appearing now will be corrected.

At the moment, I am prepared to look at the suggestion about having someone here, but I am given to understand by the people downstairs who meet these people that it is not 100,000 who are coming to the Legislature by any means. It might be eight or 10 a day. If that figure increased, perhaps we would have to look at it again. I do not like to have them appear here in the Legislature, and it really is our fault that we did not give the 77 Bloor Street address before. But we have done it in the advertising that is coming out this weekend.

**Ms. Bryden:** I cannot understand why there was no working copy provided to pensioners, in case they made a mistake on their form, to enable them to work things out in advance. Could it not be arranged that application forms would be available here at the front desk for those who do come down looking for another application form? Could they not also be made available to members in their constituency offices so they could give seniors another application form if they needed one?

**Hon. Mr. Maack:** The only time a second application is sent out is if an affidavit is received that they have not received or have lost the original one. I think that is pretty obvious. We cannot send two or three applications out, or make them available to members or other people, simply because we could end up having two or three applications from the same person. If someone does complain they did not receive an application or if they have made a mistake and require a new one, then we do request an affidavit to that effect.

#### SOUTH CAYUGA LAND DRAINAGE

**Mr. G. I. Miller:** Mr. Speaker, I have a question for the Premier. There were 12,000 acres of land bought in 1974 for a city of the future along the valley of the Grand River and the shores of Lake Erie, and this land is class one, two and three agricultural land.

I read a report in the *Globe and Mail* of October 27, 1980, which said 200 farmers in the South Cayuga area received hand-delivered letters last Friday telling them the

government would start studies of water drainage in their fields in about three weeks. Is this to improve drainage for agricultural purposes?

**Hon. Mr. Davis:** Mr. Speaker, if the honourable member would tell me where the letters came from, I would be delighted to get the answer for him.

**Mr. G. I. Miller:** I will try to provide the information for the Premier.

Will the Premier consider using his agricultural code of practice and putting it under the direction of the Minister of Agriculture and Food (Mr. Henderson)? At a time when we are importing much of our food products, particularly soybeans and corn, and energy prices are rising and definitely will affect the cost of agricultural produce, will he consider using that ministry—

**Mr. Speaker:** The Premier took the original question as notice and said that if the member provided him with the necessary information he would attempt to get an answer. A supplementary is something that arises out of the original question.

#### LIQUID INDUSTRIAL WASTE

**Mr. Swart:** Mr. Speaker, my question is to the Premier. Has the Premier received a telegram from the mayor of Thorold which reads as follows: "We request immediate 24-hour surveillance of the Walker Brothers landfill site by Ministry of Environment officials other than those stationed in the Niagara area, complete investigation of the site, and that all dangerous or potentially dangerous chemicals be removed as soon as possible."

Is the Premier aware that the Minister of the Environment (Mr. Parrott) refused round-the-clock surveillance and evaded the question of complete investigation? In view of the track record of Walker Brothers which is now unfolding, will the Premier recommend to the minister that he reconsider and agree to the request of the city of Thorold?

**Hon. Mr. Davis:** Mr. Speaker, I did receive a telex from the mayor of that great municipality. I will not say what the Minister of Industry and Tourism (Mr. Grossman) said was the content of that telex. Unfortunately, he was wrong—but it was a good idea anyway.

I have replied to the mayor, and I am referring it to the minister. I will be discussing it with him, and that is all I can tell the honourable member at this moment.

## OHIP CLAIMS

**Mr. Gaunt:** Mr. Speaker, I have a question of the Minister of Health. I have been informed by a supervisor of the Ontario health insurance plan that there is a serious backlog in processing OHIP premium assistance and enrolment applications, some going back as far as August, because of lack of staff, specifically OHIP clerks. Is the minister aware of that and, if so, is he prepared to do something about it?

**Hon. Mr. Timbrell:** Mr. Speaker, if the honourable member would let me know which district office or suboffice is the source of his concern, I would be glad to look into it. Yes, of course we want to keep any clerical backlogs to a minimum.

11:30 a.m.

## COPAYMENT FEES

**Mr. R. F. Johnston:** Mr. Speaker, I have a question for the Minister of Health regarding the chronic care copayments. Is the minister aware that although he told the House he had very few problems, except for the one I raised and maybe one other, there have been 19 cases that have actually gone all the way to the Social Assistance Review Board this last year, and all of them were turned down because the chairman of the board said there were no means for it not to find against somebody who is over 65?

What is the minister going to do to change this program so it is not unfair to people over 65 years of age, especially since tomorrow the rate is going up to \$11.42 a day? Pensioners will have to spend approximately \$4,200 a year in chronic care copayments if one of a couple is in an institution.

**Hon. Mr. Timbrell:** First of all, Mr. Speaker, as you know, the copayment, as in the nursing homes for almost the last nine years, relates just to the income of the patient—and we are talking about pensions. It has no bearing whatsoever on either the income or the assets, however great or small they may be, of the pensioner's spouse or, for that matter, of the pensioner himself or herself if they have considerable assets outside of their pension income.

Second, I am aware that in a great many cases, the authority we have given under the copayment program to the hospital, which I think is under section seven, to provide additional exemptions for items such as eyeglasses and additional extraordinary expenses, is widely used. We have not

changed the copayment for almost two years, except, again as with the nursing homes and the homes for the aged, due to the quarterly changes in the pension.

At the point that the \$10 Gains increase was allowed and the \$35 increase in the OAS-GIS, we did not eat into it in any way for the copayment. We are keeping it under review, but at this time I would say the plan is working very well.

**Mr. R. F. Johnston:** There is an essential difference, Mr. Speaker, between nursing homes and chronic care copayments. Would the minister please explain to this House what distinction he would make between a couple who are 64 years of age, earning up to \$14,999 a year income for the family, and when one of them goes into an institution they pay no copayment fee at all in that chronic care institution, yet a couple—

**Mr. Speaker:** What is the question?

**Mr. R. F. Johnston:** The question is: Would the minister explain this difference and why he is discriminating when a couple of 65 years of age can earn only \$8,000 of basic income yet they have to pay \$4,000 a year in chronic copayments?

**Mr. Speaker:** Does the minister have a response to that?

**Hon. Mr. Timbrell:** Mr. Speaker, I think it has been explained repeatedly. We have to look at the income of the individual. If the individual has no income and is under 65, then we look at the income of the family. Recognizing that under the age of 65 a great many benefits don't yet pertain, such as the property tax rebate, free OHIP and free drugs, we have to look at their income situation.

In 1979, we decided we would have a fairly generous exemption for those under 65 who are not on guaranteed fixed incomes from whatever source of government assistance, including much younger people with children to educate and homes to look after. I think we have gone through this many times before.

## BEER ADVERTISING

**Mr. Nixon:** Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. Has he finally rejected out of hand the policy statement made by the then Minister of Consumer and Commercial Relations (Mr. Grossman) on March 30, 1978, having to do with beer advertising? In that statement the minister said as follows:



"All such advertisements must be directed towards and emphasize the nature and quality of the product being advertised and shall not imply that social acceptance, personal success, business or athletic achievement may result from the use of the product being advertised. The advertisements must not suggest the consumption of alcoholic beverages per se may be a significant factor in the realization of the enjoyment of any activity . . ." and so it goes.

In other words, the policy rejected lifestyle beer advertising, yet we are up to our necks in it. Would the minister not agree that although those are the best advertisements on the air, far better than the provincial advertisements for everything else, they are still leading to consumption of beer of up to 180 million gallons this year? In fact, older people now identify beer so much as the young person's drink they are turning to booze in self defence.

**Hon. Mr. Drea:** No, I reject that out of hand, Mr. Speaker. Also, beer consumption in the province is dropping considerably. It was 133 litres per person two or three years ago. It is now down to 122 litres per person.

#### ANSWERS TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Wells:** Mr. Speaker, I would like to table the answers to questions 224, 258, 340, 341, 349, 351 and 352 standing on the Notice Paper. (See appendix, page 3978.)

#### ORDERS OF THE DAY

##### EXTENSION OF INTERIM SUPPLY

**Hon. F. S. Miller** moved resolution 19:

That the authority of the Treasurer of Ontario granted on March 27, 1980, to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing April 1, 1980, be further extended to December 31, 1980, such payments to be charged to the proper appropriation following the voting of supply.

**Mr. Peterson:** Mr. Speaker, my colleagues and I have agonized over this and we have decided not to create a division on this matter at this time, even though it is very tempting. But I would like to take this opportunity to address a few remarks to the House.

It is an interesting time in which this supply motion has come about, with the confluence of a number of significant events

in this country and in this province. We are also coming up to the estimates for the Treasurer (Mr. F. S. Miller) and we will have time to pursue in detail with the Treasurer and his staff in committee, some of the things I want to talk about briefly today.

However, I feel it is incumbent upon me to make a few remarks about some of the exchanges in the last few days between various governments and between various parties here in this House.

It was interesting last night—sitting in my office as I was, trying to scratch down a few notes about today—hearing through the box in my office the debate here in the House on the future of our country and the way people felt about it. Through the other ear I was listening to Premier Lougheed's statement on the radio about the cutback in production of oil in Alberta. When the noises coming in from my ears met in the middle of my head, they left me with a lot of confusion and a lot of sadness. I am one who does not see an easy way out of this situation at the present time. I wish I could propose some magic answers to solve it. It is with a deep sense of regret that I see the thing deteriorating to the extent it has.

It is my judgement that the Premier (Mr. Davis) is obliged to use his good offices in any way he can. It is probably presumptuous of me to try to give him advice because so many of these things of this nature are solved by quiet diplomacy; they are solved between men, taking into account the various personalities. We all have our assessment of the various personalities of the players involved. The personalities are very important in politics and always will be. They are just as important, in many cases, as the issues.

11:40 a.m.

I think the Premier has a major responsibility here. He has always held himself up as the defender of the consumer and low prices in Ontario. It is interesting for me today to hear him say he has already supported moving to 75 per cent of world price on a staged basis, because he may have said it to himself in a closet some morning or to his wife at sometime, but that is not the perception in this province or in this country. He has worked very hard to cultivate the impression that he was absolutely against any kind of price increase whatsoever.

It was always my view that the emphasis of the Premier and government on the entire oil pricing negotiations was wrong. It was

inevitable that oil prices were going to rise. We always knew that; anyone with any judgement in 1973 knew that. If governments have failed us anywhere, they have failed to recognize those events of October 15, 1973, and what they have done to the entire western economy. We are still slow to adjust and accept those realities.

With great respect, I think the Premier took the precipitate way out. He took the way out that he felt would score him the maximum political marks. I think some of his mistakes are coming home to roost now. Had he stood up in 1973, 1975, 1976, 1977, 1978 or 1979, for that matter, and said clearly to the people of this country and province, "It is beyond our control. Prices are going to go up," the entire argument and attention of this discussion would be focused on only one issue—the distribution of those revenue moneys.

**The Deputy Speaker:** Order. I am just reading the motion again. I wonder if the honourable member—

**Mr. Peterson:** Mr. Speaker, I have read the motion because I am going to come, in a very devious and circuitous way, back to the point of this motion because it bears significantly on the finances of this province and interim supply.

As I know you will recall in your long experience in the chair, we have always accepted interim supply as a chance to have a free-wheeling discussion on the state of the economy and performance of the Treasury in this province. I think honourable members would agree I am entitled to a bit of latitude. The Treasurer is certainly nodding approval; either that or it is Parkinson's disease. He is smiling anyway.

I just want to say that I think the emphasis of this province was wrong. In 1976, when I was energy critic for this party, we issued a press release stating our views of the oil-pricing situation which, as members know, cyclically runs into highly heated periods and then trails off for a while. In conjunction with my leader, we gave it a great deal of thought. We fought over it, discussed it at great length and my leader and I reached an accommodation.

I can tell the minister, we both believe in it and it stands up to the test of time. We recognize the inevitability of oil prices increasing. What should have been done was the entire attention of this government and the federal government and all other governments should have been on the revenue sharing aspect of that and who gets what.

Had the eastern bloc not been perceived as just being against higher prices, had it accepted that accommodation, then in my judgement there would have been an easier negotiation on the other end of it. In our statement in 1976 we said this: "We recognize the inevitability of higher oil prices. All of the attention should be on the distribution of those moneys. Ontario and the consuming provinces are entitled to a better share."

It is also my judgement that the federal government does not have the right to balance the budget exclusively through resource revenue. That was the proposal of Mr. Crosbie. That is why Mr. Crosbie was so wrong with his 18-cent excise tax. He was going to use the majority of those moneys just to bring his deficit into line and of course implement a few half-baked and silly schemes such as his mortgage interest deductibility scheme.

Those moneys should be set aside in a special fund, an oil self-sufficiency fund or an energy self-sufficiency fund that goes principally to equalization, compensation for the imported oil and various other projects of which we see a kind of glimmering in the federal budget just released. They should be used for a conservation program, pipeline programs, massive megaprojects in the west for Syncrude, synthetic oil and all sorts of other things, because it is going to take literally billions—tens of billions, hundreds of billions—of dollars over the next couple of decades to bring about some degree of oil self-sufficiency.

I personally share that view. As a consumer I have to pay some share, and so do all the consumers in this country, but we have to make sure that money is not squandered, that money is not just going to greedy governments to fuel further the size of their deficits.

That is why I want to say I think the Premier had the wrong emphasis in the 1977 campaign when he came to London Centre. He had a little rally with all the Tory workers in London Centre, all six of them standing there, and the Premier said to them, "You just go out on the streets and tell people that David Peterson wants to put the price of oil up, and that will whip him at the polls." It is very tough to understand the Premier's position today in view of the things he has been saying over the past two or three years. The only thing that forces that to pale by comparison is the position of the member for Riverdale (Mr. Renwick), and God



knows what he was talking about. However, we will sort that out at a later time and a later date.

I think the emphasis was wrong, and I think one of the reasons we do not have the national clout we used to have is partly a function of personality, because of the stupidity and selfishness of some of the positions that have been taken in the past. There was a day when this province went to Ottawa and Ottawa shivered, Ottawa listened. There were some fine personal relationships. I remember when Donald Macdonald used to issue a budget and the very day after, or that night, the former Treasurer of Ontario would stand up and say, "Here is my response. Here is what is good about it, here is what is bad about it." They had a relationship where they could pick up the phone to each other and Ontario had a major impact on federal fiscal policy. That is not the case today and I regret that very much.

Our Treasurer goes to Ottawa, cap in hand, with an aura of gloom about him regarding the state of Ontario today as increasingly a have-not province. There is a lot of malaise in the province about that kind of thing. He comes out with some of the most juvenile, puerile, ridiculous proposals. It is no wonder we are not taken seriously. This government is trying to bridge the gap between two constituencies.

Out of one side of his mouth the Treasurer is saying, "Mr. Speaker, we must stimulate the economy in the short term, so let us have one of those marvellous sales tax cuts for a short period of time." Out of the other, he is admonishing the federal Minister of Finance for the size of his deficit. It is so patently silly. Anyone who comes to me with that kind of advice, I dismiss out of hand. I do not have time to listen to those kinds of juvenile proposals.

It is interesting that the press is on to the Treasurer of this province. When I referred in the past to the fact that Ontario is becoming increasingly the economic pipsqueak of this country, he thought I was referring to him personally. I am referring to the lost voice in this country and I regret it. I can tell members now it has started to be obvious to a lot of people. I have been saying it for a couple of years. It is in the press every day. Read the headline of an editorial in the *Ottawa Citizen* on September 23, 1980, "Silly Idea From Frank Miller." Of course, it is a silly idea.

His proposal with respect to rebates on cars last February was silly. It was silly in

1975 when the government did it in view of an election. In facing a by-election on November 20 this year it will probably do something equally silly on November 13. It is quite clear to me that what governs the fiscal and economic policy of this province is dates of elections and the perception of being in political trouble, as opposed to dealing with the real problem. At the same time, we are squandering millions of dollars on ridiculous things such as the advertising program.

I was just handed a piece of paper from research which says we have now spent about double this year on our advertising budget than we did last year. It is obvious to any of us why that has happened. It is true of the federals too, and I do not approve of that. It is a blatant and superficial and irresponsible squandering of the taxpayers' money. I feel very strongly about that, and I see instance after instance after instance. The great problem with the government is it cannot admit it is wrong.

11:50 a.m.

Let me go back to this whole land assembly business. There is not a person in this province who does not see that as monumental stupidity. Most people thought it was stupid then; everybody knows it is stupid now. Yet we do not see the capacity in government to stand up and say, "Gee, we made a mistake, we are sorry, let us do something about it." It is the Minaki situation over and over. We lose \$400,000 and then compound the evil by dumping more and more, and the situation now will be \$25 million and probably will never pay.

If only we had the integrity in government to stand up and say, "We admit we lost our \$400,000. We are sorry, we made a mistake and that is it," as one would do in business, because people do make stupid decisions in business. But what distinguishes the good businessmen from the bad is their capacity to stand up and say they did make a mistake and they will cut their losses.

There is no one, the Treasurer and myself included, who has not invested in a bad deal. But in a business capacity one can stand up and say one was wrong, cut one's losses and go on to something else. The government does not do that. The Premier stands up and defends the indefensible. The former Treasurer comes out and tries to defend the indefensible. It is the wrong approach. We go on spending, spending, spending, all at the same time.

All that is in the face of a generally perceived and factually supported decline in the Ontario economy. Our manufacturing base is under very serious threat today. The latest constitutional threat, the cutback in production, the massive amounts—barring the resolution of this problem—of money that are going to go to the oil equalization fund are very serious matters for this province, because we did not have the judgement when times were good to make investments in producing wealth.

Our concentration today has to be on the production of wealth and on the production of goods here in this province. If we do not do that, we are just going to postpone solving the problem further. We did not do it in the past because we always said the market would take care of itself or let us opt for some silly short-term stimulus, preferably around election time.

I think the people of this province would accept higher prices, higher taxes even—although I am not advocating them—if they felt that money was being husbanded and invested wisely in productive capital. There are a lot of people in this province who are very insecure about their economic futures right now. There is a general feeling of malaise, a general feeling that we are not number one any more, that we have lost our capacity to lead, that things may get worse and they are getting worse. People are having trouble balancing their own personal books and they know there are problems in the province. There is this feeling that there is no clear direction on how to handle that or no clear plan on how to solve that.

I want members to know the Liberal Party has made this a primary emphasis for the last two or three years. We have a number of specific plans we have presented to the people of the province, and we have a number we are prepared to submit in the near future for their consideration. All the while, while all this is happening, we are concerned about the next election. Cheques are going out to all the seniors, granted the thing is completely screwed up in here. Every member's constituency office is inundated with calls from people who are confused and upset and do not know how to get their money. That is a fact. It has taken 50 to 60 per cent of my constituency office time answering phone calls.

Hon. Mrs. Birch: That is not true.

Mr. Peterson: Well, maybe they do not phone the provincial secretary because they

know they will not get any results out of her office. I have no idea. But every other member in this House from whatever party I have talked to is inundated with calls on the whole senior citizen grant area right now. It was scandalous from the beginning. It is wrong now. The government has disenfranchised something like 100,000 people, all for its crass electoral purposes. If they go out and talk to people about the cynicism in government today, I can say they create it.

The Liberal Party of Ontario's emphasis today is on two things: the creation of wealth in our province and assisting those people most in need. The millionaires, the Tories' back-benchers, are not the people who need the help today. We want to help the disadvantaged. They are helping the advantaged, we would help the disadvantaged. That is the difference between them and us, and to do it they have created massive new administrative expenditures of \$3 million.

The government has created a lot of cynicism and has cut off a lot of poor people who need it more than anybody else. It is a poor program and I am only sorry our friends to my left did not support our motion when we debated this after the budget last spring to make sure that everybody in this province was entitled to no less than he or she received under the old system.

That is a great source of regret to me personally, and I sometimes wonder, when I reflect on this, if we fought hard enough or if we did everything we could do in the circumstances. If I could have thought of any other devices we could have employed to make sure we did not disenfranchise these 100,000 or so people on the bottom end of the economic scale I would have done it, because it makes me very upset and I have a heck of a time explaining that to people who phone me. It is just a bad situation.

In the face of this decline, in the face of this malaise and in the face of this insecurity, I do not see any action from this government. I think the Treasurer is principally responsible, for two reasons: One, I think we have lost our capacity to articulate a national economic point of view, and I think we have lost our clout in Ottawa. That is not completely the Treasurer's personal fault, although clearly some of it is his fault personally.

I think there is a very mindless arrangement of his job. In my judgement the Treasurer of this province should have responsibility for federal-provincial finances. It is not fair to the Treasurer that he has another minister, the Minister of Intergovern-



mental Affairs (Mr. Wells), to look after that section of his portfolio. We must give the Treasurer and Ministry of Treasury and Economics in this province the responsibility for federal-provincial economic affairs so that he can have some kind of lever, with some kind of clout, some kind of say over those matters.

I hope the Treasurer and his staff—and the Premier, who will ultimately make the decision—will look very seriously at the realignment of his job and incorporate into it enough responsibility to give him at least a chance to have a national voice. Whether he knows it or not, and I do not expect him to believe me, there are a number of people on his staff—and civil servants do talk—who share my disillusionment with what his ministry is doing today, who see the erosion of power of Treasury, Economics and Intergovernmental Affairs, who see all the powers shifting down the front bench, and who see the people and power shifting down to the end to the Ministry of Industry and Tourism in a systematic dismantling of Treasury.

I do not know if the Treasurer knows this is going on. It is obvious to all of us who are observing what is happening, and because of that, he and the Treasury do not have the confidence of a lot of people in this province today. I would say respectfully he does not have the voice at a national level that he should have, that he deserves to have by being the Treasurer of the most populous and richest province in this country.

I give these words to the Treasurer for his consideration. I know they are not particularly pleasant. I know the Treasurer is a sensitive man and I do not mean to be unkind, but these things have to be said. They are being seen now in the press. No one in politics would like to have the kind of press that the Treasury has had in the last little while, and some of it is reflecting on the Treasurer personally.

I have been, as the Treasurer will recall, quite cognizant of some of these potential trends in the last two or three years. I have articulated them and have always been dismissed. He always said: "Give me my chance. The last budget was not my budget. Let me have my own budget. I will do my own and I will stand by my own figures." What are his figures? His figures are that his net cash requirements are now up 68 per cent over last year. Retail sales are off, revenue is off fairly dramatically, something like \$70 million over forecast.

12 noon

Even though the minister had a windfall last year and his cash requirements were fairly low he has opted to increase them dramatically and we are back to the billion-dollar level for net cash requirements. It is obvious he has made a political decision that he is prepared to let those run a little higher and that he is going to opt for some kind of stimulus on November 13. He is now saying, "Deficits be damned."

Let me take the minister back to our discussions at budget time when his real net cash requirement was some \$200 million lower than is shown on the piece of paper and his deficit was up 200 or 300 per cent—I do not recall the exact figure. The minister has preflowed some expenditures from the 1979-80 year to the 1978-79 year.

Compared with last year, the economic performance and the fiscal planning of this province are very substantially out of whack and unless the minister can pull a rabbit out of his hat it is going to be a lot worse than previously anticipated. That is why it is my belief that we will not go into another election after a budget. The minister pulled all the rabbits out of his hat in the last budget. There is nothing left to do. Now it becomes a game of survival. It is a by-election budget and an election budget that he is going to present on November 13 and then we will be into an election next spring. He will hope for the best and desperately hope he does not have to present a budget to this province.

It is going to be a grim one. The taxpayers next year are going to pay for the minister's view of the economy this year. He has used up all his options, he has used every fiscal trick he can to make himself look better and now it has deteriorated and it is going to continue to deteriorate. The minister is now facing another billion-dollar deficit or more in the next year.

The minister's commitment to balancing the budget is about as thin as his government's commitment to anything else. He is in favour of a balanced budget if he feels it suits his purposes politically at a particular time. Mr. McKeough felt restraint was the order of the day in 1977; therefore restraint became the order of the day. That was in the wake of the biggest deficit in the history of this province in 1975. There was a \$2 billion deficit, what with the home ownership grants of \$100 million, and his cutting sales tax by \$400 million.

What have all the sales tax cuts done for us? Add up all the hundreds of millions he spent on sales tax cuts, and I can tell him,

with hindsight, they have done nothing. At best, they stimulate a little consumption, depending on which study you read. Probably they only accelerate purchases.

As the member for Sault Ste. Marie (Mr. Ramsay) pointed out today, the minister has screwed up the whole retail business because people are waiting for a potential sales tax cut. He made a legitimate point that the minister should stand up and denounce it now and say, "It is silly, I will not do it, and I am sorry for the dumb things I have done in the past."

The Treasurer does not understand that sometimes people do take seriously what he says. It worries them and they will make their economic plans dependent on that. Announcing this budget and the potential sales tax cut is just going to cut retail sales for the next two weeks. Anybody would be silly to go out and buy a stereo set, a car or a new suit in the next two weeks. All the minister has done in this case is deferred purchases. Even if he does not announce that sales tax cut, he has just fouled up two weeks of retailing in the prime season. We need to have as much selling right now as we possibly can to make up for a bad year for a lot of retailers.

The minister has not thought it out. I would argue that we should not be spending that money there anyway. We should be spending that money on research and development, we should have procurement policies, we should be spending money on building job-creating, high-technology companies in this province. The minister has a major responsibility and a lot of power if he wants to do that kind of thing. That is what we would do.

Mr. Speaker, I have probably gone on long enough. I did not mean to be harsh with the Treasurer and I know he is aware of what I am talking about, but I am seriously concerned. If I were him, I would only advise that we sit down and have a serious look at the whole situation; what is happening internally, externally and to himself.

He may want to go jogging tomorrow around Muskoka. Sometimes his cleverest ideas come when he is jogging and sometimes some of his stupidest ones, so possibly we can have a good one tomorrow morning and a serious briefing about the role of the Treasurer in this province and the kind of action we can have in the next two or three years to build the productive capacity.

Do not dissipate whatever limited resources we have. Spend them wisely; spend

them to build and create wealth in the future; do not just dissipate them over a short-term basis for some ill-gotten electoral gain because the government will not get the electoral gain anyway; people can see through it. When all governments are short of cash, we have to husband it wisely and invest it. Most people do not resent a constructive and intelligent investment—even though some percentage of them will be wrong—on behalf of their children; that is a legitimate investment. Silly squandering, silly tax expenditures, silly forgoing of revenue for superficial purposes is not the answer to our economic problems now.

Mr. Di Santo: Mr. Speaker, I would like to join in the debate today and perhaps I should start by saying that even though my friend the member for London Centre regrets that we did not join with the Liberal Party on the no-confidence motion he may remember that last year he avoided voting on the budget because he was absent. I should also remind him that on 11 occasions the Liberal Party supported the government. The honourable member was absent on two occasions but on nine occasions voted with the government.

We think at that time, as now, the economic policies of the government were wrong and they are wrong because they have been following a policy of so-called fiscal restraint which is, in effect, a monetary approach to the economy of Ontario which is creating a disaster for this province.

It is not a coincidence that the Treasurer has been forced now to introduce a mini-budget and I think it is proper to ask the Treasurer what the process will be. Will he only release a statement or will there be a full debate on the mini-budget? Will the Treasurer provide the opposition parties with background paper or will he only release a statement in the Legislature?

It is important at this point that we know in advance what the mini-budget will consist of because we really think we are in serious economic trouble in Ontario, not only because of the energy crisis which will be seriously and negatively affecting the economy of this province, but because the trend that started in the early 1970s is now accelerating to the point that the basis of Ontario economy, the manufacturing sector, is seriously threatened.

We have been saying all along the problems we have in Ontario are the problems of the domination of our economy by the multinationals, by the branch plant structure of our economy. I remember, ever since I was



elected, how complacent the government was when the economy was booming and the branch plants were opened all over the province, creating jobs that temporarily solved the problem of employment for the government. We tried to raise the issue at that time, but the government never took notice.

12:10 p.m.

We are now faced with the situation where not only the big multinationals, but also small and middle-sized companies are shutting down plant after plant in Ontario. This province is going through a process of de-industrialization that is becoming most serious.

Because of this situation, last year we lost 35,000 jobs in the manufacturing sector. Yesterday we heard the statement of the Treasurer on how many new jobs were created in Ontario last year, but he is unable to justify why jobs are disappearing in the manufacturing sector. He cannot justify it with statistics to the people whose jobs are no longer there and who have personal problems. It is not only a problem of figures. It is not five per cent, seven per cent or eight per cent. We have people who have lost their ability to earn a living for themselves and their families. Those are human and tragic problems, and the government of Ontario is unable to respond to that crisis.

In fact, we have seen the government come in with proposals, some of which are outright silly, such as rebates to car dealers, but also the major programs of this government such as the grants to the pulp and paper companies do not respond to the fundamental needs of Ontario. In fact, the pulp and paper companies have been saying they did not need the grants. Three days ago it was repeated again. We are being faced with the policy of the government which is founded on an ad hoc basis in a crisis situation without having a vision of the problem in its complexity.

Therefore, we are faced with the Ford situation where the government of Ontario entered into a deal with the federal government without having any guarantee of job creation in Ontario. We were forced into the deal with Chrysler because of the crisis that company was having at that time. Now we are faced with the situation at Massey-Ferguson. Apart from these major companies, every day we are faced with plant closures because of the fact that the economy of Ontario is declining in its most crucial sector, the manufacturing sector.

The government does not understand that we have to reverse the trend. We are at the point now where this province cannot live any longer on its natural resources because we know very well that our forest industry is depleting. Despite the commitments and the pledges of this government, we will be shortly faced with a serious crisis in the forest industry. Our minerals are threatened by the competition in the Third World countries. Our nickel is threatened by the competition that, incidentally, the government of Canada helped to finance in other parts of the world.

When we talk of the manufacturing sector in Canada we are basically talking of the manufacturing sector in Ontario, where 67 per cent of the industry is located. Unless we reverse that trend, and unless we are able to create Canadian industries in Ontario, owned by Canadians and which respond to the needs of the Canadians, we will not be able to survive as an industrial nation. I think what the Premier tells this House and the people of Ontario, which is that we should compete with the southern United States because that is where our competition comes from, and that we do not have to look to western Europe or other industrialized nations is absolutely preposterous.

I think that is the most infantile and childish vision of the modern industrial world and the relations among industrial countries. We know very well that if other countries such as Japan or West Germany had taken the same approach after the Second World War they would still be underdeveloped countries. Instead of Japan having its program of economic development geared to a world scale, if it had looked after the immediate market that at that time was competing with Japan, it would now be at the same level as Indonesia or Korea or Taiwan.

What this government lacks is understanding of the reality of the modern industrial world. It lacks the understanding that unless we are able to, first, find out and analyse what the possibilities are for Ontario in terms of industrial growth in the manufacturing sector and, second, what the possibilities are for Ontario to compete on a worldwide scale, then we will always be in a position of dependence on the American market. We will be producing goods that may be competing with the southern states of the United States, but we know very well that apparatus is becoming obsolete and, in the long range, the American manufacturing sector will not be able to compete with

the other industrialized nations. The steel industry is a prime example, not to mention the automobile industry.

We have been saying all along that we need an industrial strategy in Canada and Ontario. That is what this government is unable to understand. Unless we decide what to do with our resources and decide how to develop our resources in Canada and in Ontario we will be plagued with the same problems. We are in the situation where a country like Canada, which is one of the richest countries in the world in terms of natural wealth, last year had a \$17 billion trade deficit in the manufacturing sector. That trade deficit is unacceptable to any nation which can be defined as an industrialized nation.

I know the Treasurer will say that last year we had 86,000 more people working than the year before, but perhaps he should consider that most of the jobs were created not in the manufacturing sector but in the service sector. Those jobs are healthy jobs when they are backed by a strong manufacturing sector. But in the presence of a manufacturing sector which is in a critical situation, like today in Ontario, those jobs are not healthy jobs because they may disappear very soon. In fact, we know very well that when unemployment increases the first jobs to disappear are the marginal jobs, the jobs in the service sector, which are not essential.

It is for this reason that the New Democratic Party introduced in this House three bills: a bill that calls for job security, a bill that calls for full employment and a bill that calls for equality for women.

12:20 p.m.

It is not only regrettable, it is disgraceful that this government does not want to accept the notion that unless a government at this time is committed to full employment it cannot reach any goal at all in that direction, because jobs are not created by themselves. The myth of the market which creates jobs and solves problems for the government is a myth that is not true today and was never true in the past. It is only in the minds of a few people who seek refuge in the nineteenth century economic doctrines that can have some credibility, but we know it spells disaster for Ontario as it spells disaster for the United Kingdom government of Margaret Thatcher, as it spells disaster for the United States.

The monetarist approach doesn't work. You don't need to be an economist; everyone

understands you cannot correct the problems of the economy with a monetarist approach. You don't solve the problems of economic growth just by limiting the money growth. I think it is disgraceful that the Conservative Party and the government dropped our two bills, because it is a need in our society and a widespread feeling that job security is an essential right of the people. If the government is unable to ensure job security then it is a failure of the government. That doesn't mean the government should not be committed to the principle.

The government refuses to accept that principle and the reason given by the Premier is just preposterous, as I said before, because we don't compare ourselves with the southern United States. If they want to embrace a policy of low wages then they can look even farther than that. They can look south of the Panama Canal, look to Ecuador, to Peru where they have really low wages, but they also have poverty, underdevelopment, economic depression. They are justifying their failure by comparing Ontario with the southern United States where they have right-to-work legislation but where economic conditions are certainly not a goal for a modern country.

The same applies to the second bill on full employment. It is shameful that in 1980 the Treasurer of the province has been cornered by the circumstances into a position in which he has to introduce a mini-budget because he is faced with a dramatic situation. At the same time he does not want to commit the government to a goal which is important to the 300,000 citizens of Ontario who are now unemployed and for whom there is no possibility of finding employment in the short run.

It is disgraceful that in the last budget the government of Ontario didn't think it necessary to propose any new program for job creation. In fact, it has been insisting on the disgraceful policy of fiscal restraint that has aggravated the problems of the economy of Ontario. Now, by refusing to accept the principle of our three bills, they are really saying they are giving up on giving directions to the economy of the province.

I want to give notice to the Treasurer and to the government that we will keep insisting, because these problems will be with us. They won't disappear just by a magic touch of the market in which he believes. The problems of unemployment and job security and the underdevelopment of our economy will be with us. I think the Treasurer would



be well advised if, when he presents his budget—and I hope he will have an answer to my questions—he presents a document directed towards job creation, because the people of Ontario cannot afford his policies any longer.

**Mr. Ruston:** Mr. Speaker, I suppose it is rather difficult to keep to the resolution we are speaking on today, to see that the money is paid out to all those in the government. It gives an opportunity to speak to the fiscal policies of the Treasurer. I would just make a note or two with regard to the Treasurer's statement the other day that he is bringing in a mini-budget. Of course, many people have different ideas on what should be done, such as his policy of a few years ago of sales tax exemptions—and being in the automobile area naturally anything one thinks will help at all is good, I suppose. On the other hand, the real problem is the statement the Treasurer made the other day with regard to some things he is going to have to do.

I have a feeling that in the next two weeks automobile sales are going to go down. I know the Treasurer has been in automobile sales and I had a sales licence for selling used cars myself, very briefly. I feel that has a tendency to make people think maybe the sales tax will be dropped. I know one of my sons bought a car a couple of weeks ago and he asked, "What am I going to do? Shall I buy it now or wait till later in case the Treasurer takes the sales tax off?" I said, "I guess you will have to gamble, but I would think there will be no sales tax going off cars, because it was done on two previous occasions." I do not think it really served the need it was intended to serve.

One factor, of course, is the massive import of cars the Treasurer mentioned this morning, where 80 per cent of the cars made in Ontario or Canada are exported and we import 80 per cent. The Treasurer will probably remember the question I asked him last spring about a bill that was before the Senate in the United States. I am not sure if that bill was ever passed—the last I heard it was still in committee in Congress. It was worded so that it would exempt only those cars that gave improved gas mileage from a certain year on. It so happened that very few imported cars would receive that exemption. The majority had already reached that goal, so it would only affect a very few imported cars. It would have helped the major cars that were made in Canada and

the United States. That is probably still a possibility.

One thing that concerns me with regard to the automobile industry and gas consumption is being brought to our attention more and more every day, especially after last night's statement by the Premier of Alberta and the federal government's recent budget. We all know that gas is going up by something like 30 or 35 cents a gallon yearly for the next three years approximately. It is hard to tell exactly because of the number of different taxes going on. Some of the money, of course, will be going to Alberta for reinvestment in new oil.

What concerns me is the number of cars we have on the highway today, and the gas consumption many of them have. I sometimes think if every car that was on the highway in Ontario was at the consumption rate all 1980 models have, regardless of their size, our gas consumption would be down considerably. We have not decreased gasoline consumption in Ontario really over the last number of years. In fact, I find when I drive to Toronto from my home, as far as the cost of gas for my trip back and forth, it is really not much more than it was four years ago, because the car I am driving now is giving me about six miles to the gallon more than the one I was driving at that time. In effect, if all the cars on the highway were giving us over 20 miles to the gallon we would really be cutting down our consumption, and the 1973 and 1974 models are the key ones.

12:30 p.m.

I think if one looks over the consumption of gasoline in all cars one will find the 1973 models are the worst, because that was the year the environmental regulations were put into effect in the United States, and Canada, of course, accepted it. If the Treasurer could find some way to get those 1973 and 1974 models off the road—maybe he should buy them; I do not know what he should do with them—we could get the new models with the low gas consumption on the road. That way he would really be doing something.

It would really do two things: He would be selling more cars and he would be saving fuel by getting rid of those gas guzzlers. There are some gas guzzlers on the road and many of us are aware of them. I think if he looks over all the car models, the 1973 and 1974 cars were about the worst, and maybe he and his staff could find in all the research they have over there a way to get those cars off the road. That would be better than just

taking the sales tax off and hoping to sell more cars.

I do not want to take any more time of the House because I know we are dealing strictly with approving money to be spent until December 31 and, of course, we have to do that, but I just thought I would throw that out.

**Hon. F. S. Miller:** Mr. Speaker, I will be very brief. The comments of the critic of the Liberal Party have been noted. Certainly personalities are as important as policies. I think that is what he started out by saying. I have sensed that the great bulk of his comments were directed in a personal nature, and they usually seem to be.

**Mr. Peterson:** Christ, I could have been 20 times harder. I was moderate.

**Mr. Riddell:** The Treasurer is too sensitive.

**Hon. F. S. Miller:** The member was not listening to all of it. He admitted that was the general direction he was going. I am not particularly sensitive to it. He just happened to choose that route to make as his major attack today.

I quite agree that some of the major Canadian problems, I sense some of the problems between the west and the east right now, are really personality problems.

**Mr. Peterson:** A tragedy.

**Hon. F. S. Miller:** They are, and I am very concerned about them. I think solutions that are rational could easily be overlooked because people have dug themselves into positions where their pride or their reputations or whatever it may be are so much at stake, so much on the line, that they cannot find any way out.

Certainly I would always agree that the working relationship between ministers at different levels of government and in different provinces is a very important part of the process of dealing with those other levels of government. I can say safely over the years I have had some very good relationships with my colleagues at the federal level, regardless of party, when we were dealing, usually behind closed doors, in an attempt to solve problems.

For some reason, the chemistry of one or two people works better than the chemistry of another two people. I would have to say that if I were looking back to people I personally got along with, Mr. Chretien was one of those I would put close to the top of the list. He is the kind of person—to deal with the kinds of things the member mentioned—to phone up, discuss one's problems, have

the kinds of understandings that facilitate solutions, recognizing that, of course, because there are different political philosophies in parties at times, one cannot totally agree.

Mr. MacEachen, I think all of us would agree, is a more complex person than many people in politics, a more private person, a very skilful person. That was evidenced this week. He is someone any of us who are politicians—just like watching a hockey player if one is a hockey player—will admire. No matter what the content may have been, he used tremendous skill in preparing the scene several weeks and months in advance of the action he took. That in no way makes the actions acceptable or to be rejected necessarily, but certainly he is a very skilful person and one who made so many subtle changes that we are still figuring them out these days following the budget. Mr. Parizeau is quoted in the press as saying that as an economist, he has a sheer delight in reading all the nuances of the budget. As a politician he does not know whether to be happy, sad or shocked. One still respects that.

I firmly support the member's statement that more is done when people work together than when they fight. The first request I made of Mr. MacEachen was that perhaps all finance ministers of this country, all provincial finance ministers and himself, should do something that I have practised before, and that is to have a day without an agenda, a day when we simply get to know each other in the absence of the television cameras, in the absence of a formal agenda and even in the absence of staff, simply to set the scene for the kind of dialogue the member is talking about.

That was repeated again at the finance ministers' meeting and was supported by a number of provincial colleagues as a necessary step. There had not been a finance ministers' meeting for a couple of years. The contact that good relationships feed upon had not been established in that period of time, and in my opinion there was a real need for it. I still think that needs to be done.

**Mr. Peterson:** There is an element of congeniality and there is an element of respect and toughness.

**Hon. F. S. Miller:** I am not arguing any of those things. In effect, one has to have occasions where one meets his colleagues in a less structured atmosphere to build a foundation for the rest of it. With the other operating ministries there are usually annual meetings or fairly frequent contacts that



build those up. It has not been quite as easy in finance, but I am glad to say Mr. MacEachen says he will be having a meeting of finance ministers early in December and that may be the start of that kind of relationship.

It is my understanding that the member wholeheartedly supports the federal budget. I am not making it as an accusation. I thought his instant reaction was basically one of total support.

**Mr. Peterson:** Some parts I like, some I don't like. Have you read it?

**Hon. F. S. Miller:** Yes, I have read every word of it.

**Mr. Peterson:** Have you read my reply?

**Hon. F. S. Miller:** No, I have not read the member's response.

**Mr. Speaker:** Surely the minister's question was purely rhetorical.

**Hon. F. S. Miller:** I would point out, though, that my major criticism of the budget yesterday is that it was not a national economic document and it did not tackle the problems of the economy. It was an energy document and it fanned the fires of inflation out west rather than helping solve some of the immediate problems.

The honourable member referred to my cash requirements as being up 68 per cent. Percentages are great things to use. No one ever admits they were also 50 per cent of projected figures last year. This year's cash requirements are still less than last year's projected cash requirements. Would the member buy that?

**Mr. Peterson:** Sure.

**Hon. F. S. Miller:** Okay. To say they are up because I had a very good revenue year is hardly to imply that we on this side of the House have suddenly become profligate and are wasting money. We had more revenue than we expected, we controlled our expenses and so our cash requirements dropped roughly 50 per cent of estimated value. Even those figures were somewhat inflated by the transfer into the previous fiscal year of \$217 million of spending for a number of good reasons.

Last year, if one took that \$217 million out, we were almost within two per cent of balance, so I find it difficult to say that we have lost our commitment to a balanced budget—just the opposite.

**Mr. Peterson:** You don't have any commitment.

**Hon. F. S. Miller:** Oh yes we have. It is great for a member of the Liberal Party,

whether it is of Ontario or Canada, to tell me I do not have a commitment to a balanced budget, but if I am sad at any fact it is that the federal government this week had absolutely no room to help anyone in the economy because it does not even understand the words "balanced budget". That has been their basic problem for the last while. They have had a \$14 billion deficit this year, roughly 20 per cent of their spending, and that to me is unbelievably high.

I will now go on briefly to the comments of my colleague, the member for Downsview. He mentioned, first of all, that pulp and paper companies do not need grants. If the assistance was not needed, why was the investment not being made? Why were the steps not being taken to clean up the pollution and modernize the plants? It was an either/or situation.

12:40 p.m.

I have to challenge my colleague to go with me to any of the towns and communities in the north where billions of dollars are being invested this year in modern, clean plants and see if the people in those plants and in those towns do not believe firmly in that program. They do. I have to say, if they did not need the grants then they would have been making the investments in advance.

The honourable members talk about plant closures, but never about plant openings, expansions or productivity increases. I repeated yesterday, at the challenge of the opposition, that we had 85,000 more people at work in spite of our recessionary year this year. That is because the capitalist system is something like Darwin's theory. There are closures, there are slowdowns in specific plants, but at the same time the survival of the fittest goes on and we see the growth and creation and expansion of the healthy. That is the only way to protect the consumer and employment. The attempt to shore up the rest just does not work.

The honourable member also referred to the ownership of companies by Canadians. I would have to ask him what he means by ownership. Does he mean, for example, purchase of shares? I am being rhetorical again, Mr. Speaker. I hope the honourable member buys shares in Canadian companies—does he? I cannot, because I am a minister of the crown.

I sincerely hope the honourable member does not mean nationalization of our companies in this country. I am just asking because sometimes his party has been known

known to subscribe to nationalization of the resource industries rather than talk about Canadian ownership of them, and I just wanted to make sure that when he meant owned by Canadians he meant individual Canadians, not the state.

That was one of the things that worried me because yesterday or the day before, Mr. MacEachen, in his euphemism, was going to Canadianize the oil industry. It really wasn't Canadianizing the oil industry; it was nationalizing the oil industry. He was using our money from a tax base to purchase for the government of Canada shares in those companies. That is quite different from encouraging the purchase of shares by individuals and investors in the country, the route I, and I am sure my party, firmly believes in.

Mr. Speaker, I hope my resolution will pass.

Resolution concurred in.

#### CONCURRENCE IN SUPPLY

Resolutions for supply for the following offices were concurred in by the House:

Office of the Assembly;

Office of the Provincial Auditor.

#### CONCURRENCE IN SUPPLY, MINISTRY OF CORRECTIONAL SERVICES

**Mr. R. F. Johnston:** Mr. Speaker, there are a number of matters I would like to raise with the minister. In part I am raising them because they are of interest to me and in part I am acting as the voice for an invisible member of the Legislature at the moment. They fall into several areas, but I wanted to ask a question also out of today's demonstration of Hallowe'en fare, as to whether or not the pumpkin the minister brought in today was grown in our institutions, or was it just a locally bought prop by his promotional people? I am not clear as to whether or not that was actually London-area grown or whether it was from the area here.

I want to comment on the general move towards self-sufficiency, to say that we in this party laud the efforts to have the correctional services in this province self-sufficient, but it is not a new creation of this minister. One only has to look back to the time when Mr. Apps was the Minister of Correctional Services to see the extensive farming and other kinds of production, in-

volved in our correctional institutions, which subsequently was dispensed with, including 2,000 acres of farm land in the Burwash area.

It is somewhat ironic at this point, when we are moving back to self-sufficiency, we have to do it having lost some of the equipment and a lot of the land that was available to the ministry before as far as self-sufficiency goes. So although we commend the move back to self-sufficiency that was lost prior to this, we do not want to let it go to the minister's head that it is all his idea and this is something new under the sun.

I wanted to raise with the minister the matter of the promotion of Mr. Stanley Frank Johnson within his ministry. I would like to read into the record at least part of a letter from the member for High Park-Swansea (Mr. Ziembra) dated October 17, about this promotion, because this is a story of a man who has had, in my view, too many connections with violence within the prison system and he seems to have been rewarded for it. I will not read the whole letter. I will read from it. The member for High Park-Swansea questioned the appointment of Mr. Johnson. He referred to the Royal Commission on the Toronto Jail and Custodial Services in which Mr. Johnson is referred to any number of times. There are a number of statements on pages 309 and 318 of volume three of the report raised by Judge Shapiro where Mr. Johnson talked about rehabilitation methods within the Don jail. These were seen to be legitimizing the use of violence in terms of rehabilitating prisoners. Mr. Johnson was also alleged to have been involved and was connected by the judge with some unnecessary force in terms of the Garrett's Hotel segregation section of the institution. Although Mr. Johnson as a senior officer did not join in with the use of extra force in a number of cases, there was no doubt at all in the mind of the judge that there was a responsibility for the action of those officers under his command who did partake in that violence. That was accepted by the judge in his findings. The allegations about the goon squad at that point also had Mr. Johnson's name involved with them.

I want to ask the minister if this is an indication of his promotion policy, or if it is a good example to set in promoting a man with this kind of questionable history within his ministry. What kind of a symbol is this for the other aspirants within his ministry to



higher office? Are they to think that if they participate in this kind of heavy handed action within the prison system they are going to be rewarded?

The second question following from that is: When is the minister going to set up a provincial jail council as recommended by Judge Shapiro so that the day-to-day operations of the various correctional institutions around the province can be monitored and an eye kept on violence? It is an area that has not been followed up to this point.

Another matter I want to raise ties in with the idea of self-sufficiency, but it is what I and the member for High Park-Swansea, our critic, consider to be the misuse of the correctional services in terms of competition with industries within this province.

I refer the minister to the previous Minister of Correctional Services (Mr. Drea) who in justice committee estimates indicated that none of the work to make the institutions more productive and more self-sufficient would in any way take away from workers' jobs in Ontario. I, therefore, ask the minister to comment on what is going on in the Maplehurst Adult Training Centre in Milton where Carlisle Industries, an umbrella company manufacturing such things as mufflers and other automobile parts, has now started to operate two of its subsidiaries within the institution. It is now hiring approximately 28 or 29 prisoners who are paid piecework at one cent a piece, which works out to the basic minimum wage, at a time when our automobile industry in this province is undergoing major problems, which we all accept within this House. We have set up a committee which, I think, reflects the problems we are having in terms of shutdowns in Ontario.

12:50 p.m.

Mr. Pahapill, the manager of the correctional services, when contacted by the member for High Park-Swansea, did not seem to be aware of the commitment by the previous minister in this area in terms of not affecting jobs. He indicated, as well, that he thought because this was a new venture in exporting products to the United States that it would not fall under this criterion the previous minister brought forward. Yet officials of the company indicate that the prison projects are selling in Canada as well as in the United States. Even if they are, my thesis would be that if there is need for growth it should not be giving an unfair advantage to one company to participate in what is a very hard-

hitting industry at this point against other Canadian firms in the automobile parts industry. He should not give them an advantage by using cheap labour in our institutions.

I would like very much for the minister to respond to the problem that I see. The minister is giving unfair advantage—greatest advantage—greatest single capitalist kind of approach—in the competitive sphere of private business by allowing this company to come in and use very cheap labour to undermine the possibility of other companies hiring people into the work force at legitimate wages at a time when we have many thousands of people out of work. I want to know whether or not the minister thinks that is the role of his ministry or what guidelines he is going to put down specifically to ensure that sort of thing does not occur?

Mr. Haggerty: Mr. Speaker, I did not intend to speak on this but we have seven or eight minutes before adjournment. I concur with the minister's views on providing some self-sufficiency in our institutions in Ontario. I think it is a good idea that has been very successful in the past.

If I recall correctly, in the United States—particularly in New York state—they do have such a program there for persons incarcerated in their small prisons. They have some large farms where the prisoners grow food, not only for their own institutions but for the mental hospitals and other state-owned institutions in New York State. I think it is a good program. It is a good form of therapy for persons who may be in the lock-up in Ontario. It gives them something to do.

I remember the day we were discussing the new correctional institutions in the county of Welland. I suggested that instead of building a large complex with a large fence on the outside with about an acre of land for them to exercise on, they should be looking to some type of farm operation that could be supplying the homes for the aged in the region. I thought it was the right track to be on then, but apparently at that time the minister did not see it proper to go in that direction.

I have often thought prisoners might be used in the Niagara Peninsula, where there is a shortage of fruit pickers for the agricultural industry and where we have to go offshore for them. The farming industry in the area will bring in offshore workers from the West Indies to pick fruit there. They can do all the advertising they want in the Niagara Peninsula. It is on almost every

radio station that they are looking for tender fruit pickers, but they cannot seem to get anybody there any more to pick fruit.

There are all kinds of summer jobs that would be good territory for our students and perhaps for someone who wants occasional employment. When we look at those persons in the lock-up in that area, maybe they should be put out on these farms to assist the agricultural industry. Perhaps we do not have to go offshore.

The previous member talked about the competition there, but I do not think there is going to be that much competition to be of any concern to the private sector. I think it is a good area for those in the lock-up to find employment. Through rehabilitation they may end up back in the agricultural industry there or they may go somewhere else where there is need for employment of that nature.

I think it is a good program and I commend the minister for moving it in that direction. Although it may be a recycled program, it is a good program for those persons who have been placed in these institutions. It gives them an outlet where they can feel useful to society.

**Hon. Mr. Walker:** Mr. Speaker, I would like to thank the members for the contributions they have made. I would be glad to re-read the statement I made this morning for the benefit of the member for High Park-Swansea, who wasn't here at the beginning.

Some questions were raised by the member for Scarborough West about our pumpkin. I would like to say that was not a store-bought pumpkin; that pumpkin was plucked from the field of the Ontario Correctional Institute on McLaughlin Road in Brampton. Of course, we could not take it from Middlesex because someone else had already taken all the pumpkins.

The interesting thing about Burwash is that correctional centre which housed many people was closed because something like 90 per cent of the inmates were from southern Ontario. With the opening of the centres in southern Ontario, it reconciled the position taken by the ministry at the time that inmates should be housed as close as possible to their home centres. Consequently, with a number of institutions in the southern Ontario area opening, that necessitated the closing of Burwash. I would certainly love to have the farm land available again but that would mean we would have to again populate Burwash and that might present a problem.

Interestingly enough, the member raised some questions about Mr. S. F. Johnson who was involved in the Toronto jail situation in 1974. The report given by the Shapiro commission was not totally condemning of the individual. In fact I think it used such words as: "As for Johnson, I hope this senior officer did not join in the use of extra force. In any case, it was his duty to ensure that unjustifiable force was not used in escorting Watson to segregation. I am not wholly satisfied that he has fully carried out his duty." That was the kind of wording that was used some six and a half years ago.

In any case, the individual was assessed a penalty of 20 days suspension, which was considered appropriate at the time. That was appealed and ultimately dealt with in due course. After six and a half years, I think we do have to accept the fact we do give second chances within our ministry. Our whole ministry is a second-chance type of ministry. We expect inmates to be given a second chance and we ask employers to employ them after they leave incarceration, after they have paid their penalty. I think the same thing, the same kind of law, the same kind of rule, the same kind of practice we apply to inmates should apply to the staff.

This individual has not been directly involved in inmate care since and even to this day he is involved only in the maintenance and the food operation, dealing with the caterer. It is not as if we condone the behaviour. We feel he paid the penalty that was warranted. In addition to that, it is fair to say there have been no incidents since then which would give us any cause for alarm or concern.

Johnson was not promoted. Actually, it might be considered a lateral arabesque from the area where he was involved in probation and parole over to being in charge of maintenance. I think that has to be kept in mind as well.

With respect to the question of the provincial council, I would say we have the minister's advisory council for the treatment of the offender, the public inspections panel and the Ombudsman, which ensure precisely the same kind of thing that has given us some concern and was reported on within the report. Just a few days ago we fired an individual for using unnecessary force on an inmate. We certainly don't countenance that. As a result of the Toronto jail inquiry, a whole host of people were dismissed, so



members can see we do not countenance improper behaviour.

1 p.m.

I will try to wrap this up as quickly as possible so we can meet the time limit, but in relation to the work force, we are quite satisfied we are on the right track, and I appreciate the comments being made by the member for Erie who supports the farming operation that we have.

Our program of work is such that we have all kinds of work that could conceivably cause a person to be out of a job. For instance, we do our own janitorial work, our own cooking, our own gardening, as was seen today in our report on self-sufficiency, so we can basically say we do an awful lot of work. One of the cases involves Carlisle Industries. In that particular case we treat it as a form of rehabilitation. I am told the kind of job that is being performed does not do away with the job of a UAW type of person. I gather this work was done previously by retarded adults and that moved over when the retarded adults could not provide that productivity. By doing that work, that meant two or three industries were able to continue in the Brampton area, industries that I gather engage people from the general

marketplace and provide quite a source of income for a good number of citizens in the general Brampton-Mississauga area.

In any case we treat it as rehabilitation and not depriving a job, where they earn \$3 or perhaps \$5 an hour. They pay us room and board to stay with us and they send some of the money home for their families to avoid the incidence of welfare in some cases. They themselves pay income tax and unemployment insurance and some of it goes to restitution for victims of crime. In any case, what is left over may provide a fund on their release. We think this is a valuable thing in some circumstances.

I would thank the member for Erie for his comments. I appreciate what he says with respect to the tender fruit industry and how it is so difficult to get workers. We have put out the word that we are ready to work and that seems to have functioned reasonably well. We have picked tomatoes in the Leamington area. We have picked fruit in the Niagara area. We do not force ourselves into a farmer's yard, we have to be invited in and we are prepared to go in if invited.

Resolution concurred in.

The House adjourned at 1:02 p.m.

## APPENDIX

(See page 3963)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

## ALUMINUM WIRING

**224. Mr. Breithaupt:** Would the Minister of Consumer and Commercial Relations advise this House what action has been taken with respect to each of the recommendations of the Wilson commission report on aluminum wiring, whether by the ministry or any other ministry or party named in the recommendations of the commission? (Tabled June 3, 1980.)

See sessional paper 269.

## ETHNIC EDITORS TOUR

**258. Mr. Di Santo:** Will the Ministry of Industry and Tourism provide the following information: 1. Why was the tour of northwestern Ontario reinstituted this year, after being suspended subsequent to the 1975 election year; 2. What was the total cost of the tour from June 2 to June 7; 3. Was the Ethnic Press Association of Ontario the only association of ethnic media contacted and/or in charge of the organization and/or co-ordination of the tour as per the ministry's form letter dated May 20, 1980; 4. Which other ethnic media association or individual editors were informed and given the same role and responsibility as the EPAO; 5. Is Mr. Vladimir Mauko a civil servant employed by the Ministry of Transportation and Communications; 6. Did Mr. Mauko take part in the organization of the tour and in the tour or was he released by the Ministry of Transportation and Communications; 7. The names of the participants in the tour and the newspapers represented? (Tabled June 17, 1980.)

**Hon. Mr. Grossman:** 1. The Ministry of Industry and Tourism regularly conducts familiarization tours to all 12 regions of the province for writers and broadcasters representing media from the United States, Europe and the Pacific rim, as well as for media professionals in Ontario and other Canadian provinces.

The ethnic editors tour is part of this overall ministry program of promotional activities aimed at publicizing industrial development opportunities as well as increasing travel and visits to tourism facilities

throughout the province. For this reason the ethnic editors tour has never been limited to one region (e.g., northwestern Ontario) as indicated in the question.

This year's tour in fact concentrated on northeastern Ontario for six days, June 2 to 7, with the group of 42 ethnic media representatives and five escorts travelling by bus, ferryboat and train. Included on the tour were visits to mining and forestry industries, meetings and interviews with leaders of community and multicultural groups including native Indians, plus sightseeing trips to northern tourist attractions.

The ethnic editors tour is normally organized and conducted on an annual basis but budgetary constraints caused its temporary suspension following the last tour to eastern Ontario and the national capital region in 1978. The tour was reinstituted this year as an important part of the ministry's new "Ontario—Yours to Discover!" program, in co-operation with the Ministry of Northern Affairs which assisted in planning the tour.

2. \$13,951.02.

3. In reactivating the tour, ministry officials first approached the EPAO, whose large membership includes many who are also members of another major ethnic media association, the Canadian Ethnic Journalists' Club. One of the club's founding members, Mr. William Markiewicz, editor of the Polish-Canadian Courier and "Ethnic Press" columnist for the Toronto Sun, participated in the tour.

4. Every attempt was made to contact both EPAO and non-EPAO members during the month of May. Two non-EPAO members, from the Scottish Banner and the Toronto Native Times, accompanied the tour.

5. Mr. Vladimir Mauko is employed in the Ontario public service with the Ministry of Transportation and Communications, planning and design section, 5000 Yonge Street, Willowdale, as a technician II, and commenced his employment with the Ontario government in 1956. Mr. Mauko in his capacity publishes a monthly newspaper in the Slovenian language, Slovenska Drzava. He also serves as the elected president of the EPAO and as national secretary general of the Canada Ethnic Press Federation.

6. The Ministry of Transportation and Communications followed normal administra-



tive procedures approving V. Mauko's application, in advance, for vacation leave to which he was entitled, to cover the period of his absence on the tour. It should be emphasized, however, to dispel any possible ambiguity raised by the question, that Mr. Mauko received no fees whatsoever for his sparetime activities leading up to the tour's realization or his marshal's role during the tour itself. Mr. Mauko's voluntary assistance to the Ministry of Industry and Tourism in the organizational phase and running of the tour was valuable and deeply appreciated but he was not paid.

7. A list follows with names of participants and their newspapers:

Sohail Akhtar, *The Messenger*; Salah Allam, *Canada & Arab World*; Arnold Auguste, *Share*; A. P. de Azevedo, *Correio Portuguese*; Stan and Maria Brodski, *Polish Congress*; Valerie Caimsey, *The Scottish Banner*; Angelo Castiglione, *Giornale Di Sicilia*; Roberto Cortez, *Toronto Latino*; Elio Costa, *Il Settimanale*; Anne Fitterer, *Toronto Native Times*; Marisa Gajo, *Corriere Canadese*; Tar Gill, *Asia Time*; Milo Kominek, *Che-Slo*; Wojciech and Marila Krajewski, *Zwazkowiec*; Elna Kungla, *Meie Elu*;

A. Khan, *Pakistani Times*; Mary Laszlo, *Magyar Elet*; Eduardo Lee, *Atin Ito*; Hannu-Pekka Leivo, *Vapaa Sana*; Leo Lischyna, *Moloda Ukraina*; Raisa Lischyna, *Batkivshchyna*; Ivan Manastyrskyj, *Yunak*; William Markiewicz, *Polish-Canadian Courier*; V. Matulaitis, *Teviskes Ziburiai*; Vladimir Mauko, *Slovenska Drzava*; Diana Michaelae, *Comunita Viva*; Michi, Namba, *The New Canadian*; Daria Rezhinski, *Vilne Slovo*; Rita Rudaitis, *Moteris*; Els Sevenhuysen, *De Nederlandse Courant*;

Jay D. Shah, *Gujarat Vartman*; B. P. Sharma, *Asian Tribune*; V. Sidars, *Latvija-Amerika*; Anant and Sonia Singh, *India Calling*; Gary Super, *Sporthirado*; Eva Wazda, *Toronto Courier*; William C. Wong, *Shing Wah Daily News*; Marian Ziniak, *Bielaruski Holas*; Yaroslava Zorych, *Zhinochy Svit*.

#### LAKE ERIE HYDRO LINE

340. **Mr. Isaacs:** What is the current status of proceedings under the Environmental Assessment Act with respect to the proposal by Ontario Hydro to construct an electrical transmission line under Lake Erie? (Tabled October 16, 1980.)

**Hon. Mr. Parrott:** Ontario Hydro has conducted extensive economic and environmental studies to assess the viability of the

project. If it concludes the project is viable it will be preparing the necessary documentation for government review.

#### USE OF PESTICIDES AND HERBICIDES

341. **Mr. Isaacs:** Will the minister provide figures on the amount of each of the following pesticides and herbicides, by active ingredient and by total volume, applied or sold in Ontario in each of the last five years for which figures are available: Acephate; Alachlor; Alanap; Alar; Allidochlor; Ametryn; Antor; Atrazine; Azodrin; B. Thuringiensis; Barban; Bifenox; Binapacryl; Bromofenoxim; Bux; Captan; Captafol; Carbofuran; Chlorbromu; Chlorpropham; Chlorpyrifos; Chlorothalonil; Ciodrin; Cyanazine; Cyprazine; Dacthal; Delnav; Desmedipham; Dialfor; Diallyate; Diazinon; Dibrom; Bichlobenil; Difenzquat; Dinitramine; Dinoseb; Diquat; Disolfoton; Dyanap; Edifenphos; Embark; Endosolfan; Endothall; Ethiolate; Ethion; Fenamiphos; Fenitrothion; Fensulfothion; Fentin Hydrozide; Fenvalerate; Folpet; Formetanate hydrochloride; Glyphosate; Flyphosine; Harvade; Metobromuron; Methamidophos; Methidathion; Methiocarb; Methoprene; Metolachlor; Metribuzin; Norea; Nicotine Sulphate; Omite; Oxydemeton methyl; Paraquat; Pennacp E; Pencap M; Permethrin; Phenmedipham; Phosphamidon; Picloram; Polyram; Profenofos; Propham; Profluralin; Propachlor; Propoxur; Prowl; Pyrethrins; Simazine; Sumithrin; TCMTB; Terbufos; Terbutylazine; Terbutryn; Tedion; Tetrachlorvinphos; Thiofanox; Toxaphene; Triallate; Trivax; Vapona; Vegadex; Vindex; Vitavax? (Tabled October 16, 1980.)

See sessional paper 270.

#### PCBs IN REDHILL CREEK

349. **Mr. Isaacs:** What sources of PCB, other than the Upper Ottawa Street landfill site, are known to exist in the Redhill Creek watershed south of Mohawk Road? What is the suspected source of the PCB found in the Redhill Creek upstream from the Upper Ottawa Street landfill site? What action has been taken to control or eliminate this source? (Tabled October 20, 1980.)

**Hon. Mr. Parrott:** Appended are the results of 22 PCB analyses of water from Redhill Creek, south of Mohawk Road. The data shows 17 samples below the present limit of detection (0.02 ppb). The remainder of the results are at or just above the limit of detection (0.03 to 0.10 ppb). These levels

of PCBs are common in water from urban areas and cannot be attributed to specific sources.

PCBs have been in use for more than four decades and are extremely widespread in the environment. Even streams draining agricultural areas commonly show PCBs in ranges from below the limit of detection to 0.50 ppb. Rainfall samples have indicated PCBs at about 0.2 ppb (based on four samples, three from the Hamilton area, and one from Wisconsin, USA).

PCBs are present in sediments in Redhill Creek near the landfill at levels ranging from 20 to 140 ppb. These levels are considered as background levels in an urban setting.

In summary, the observed PCB levels in Redhill Creek are considered to be background levels for urban settings and from non-point sources and thus cannot be attributed to specific sources.

#### PCB SAMPLING IN REDHILL CREEK

Sediment samples (all results in ppb)

Date	Stations			
	1	2	4	5
Oct. 25, 1979	140	70	20	815
March 24, 1980	60			

Water samples (all results in ppb)

Date	Stations		
	1	2	3
March 17, 1978	.03	.03	
July 24, 1979	x	x	
Aug. 27, 1979		x	
Sept. 11, 1979		.05	
Oct. 9, 1979		.10	
Oct. 25, 1979	x	x	
Nov. 21, 1979		x	
Jan. 28, 1980		x	
Feb. 28, 1980		x	
March 8, 1980	x	x	x
March 26, 1980		x	
April 29, 1980		x	

May 15, 1980	x
June 11, 1980	x
July 16, 1980	.03
July 16, 1980	x x

Note: x = below limit of detection (0.02 ppb)

#### USE OF 2,4,5-T

**351. Mr. Isaacs:** In view of the Ministry of the Environment's announced intention to prohibit further use of the herbicide 2,4,5-T in Ontario, could the minister explain why herbicides containing 2,4,5-T and being preparations of 2,4,5-T still appear on the schedules of pesticides approved for use in Ontario, gazetted on October 18, 1980, as O. Reg. 833/80? (Tabled October 21, 1980.)

**352. Mr. Isaacs:** Could the minister cite the regulation by which the use of the herbicide 2,4,5-T in Ontario is prohibited, and indicate the date gazetted? (Tabled October 21, 1980.)

**Hon. Mr. Parrott:** Question 351: Herbicides containing 2,4,5-T still appear in the schedules of pesticides gazetted on October 18, 1980, so that all provisions, such as records, storage requirements, transportation and disposal of these products, are in accordance with the regulations under the Pesticides Act, 1973.

Question 352: The use of 2,4,5-T is regulated by subsection 3 of section 61 of Ontario Regulation 618/74, as amended by Ontario Regulation 160/79, which requires a specific use permit. Section 10 of the Pesticides Act, 1973, provides the grounds for refusing a permit. This is the means by which the use of 2,4,5-T in Ontario is prohibited. Ontario Regulation 160/79 was filed on March 19, 1979, with the Ontario Registrar of Regulations, making it effective immediately; it was gazetted on April 7, 1979.



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No. 105

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# **Legislature of Ontario Debates**

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Monday, November 3, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

MONDAY, NOVEMBER 3, 1980

The House met at 2 p.m.

Prayers.

## LIQUID INDUSTRIAL WASTE

**Mr. Isaacs:** Mr. Speaker, on a point of privilege that I raised with you last Monday, October 27: It was concerning a written reply that I had received from the Minister of the Environment (Mr. Parrott), and some information that had been provided in a way I felt was inappropriate. You said, and I concurred, it would have been better to raise this matter when the minister was in the House, and of course at that time he had just stepped out.

The minister and I have been in the House at the same time on numerous occasions since last Monday and the minister has not yet responded to that point of privilege. I am most anxious to get a reply before the minister is moved to other responsibilities and is succeeded by one of his Toronto colleagues, and I wonder if you could assist me in that regard.

**Mr. Speaker:** It is normally common courtesy to provide a minister whose actions have been called into question with an opportunity to respond. I must apologize and admit it had slipped my mind. I will ask the Minister of the Environment if he does have a response and see whether we can't expedite the whole thing.

## HOSPITAL INTERNS

**Mr. Conway:** Mr. Speaker, a few moments ago the Professional Association of Internes and Residents of Ontario assembled before the Legislative Building and there seemed to be some very considerable confusion about the circumstances under which some of their representatives would be allowed to enter the precincts of this building.

I am quite concerned, sir, and I would appreciate very much knowing at your earliest convenience if you or your staff have made a ruling about the conditions under which they or their representatives might enter the assembly.

**Mr. Speaker:** As you know, all of the space in the public galleries is available to anybody who wishes to come in and observe our proceedings, as long as he or she abides by the general rules of decorum required of any of our visitors. The only constraint we do put on anybody coming in is that they not be a visible part of a demonstration that is going on outside; that is, if the apparel or anything they are carrying can be readily identified and constitute a demonstration, that has to be done outside. If they want to divest themselves of any of the tools or any of the apparel they are using to identify themselves with the demonstration—

**Mrs. Campbell:** Did you say "apparel," Mr. Speaker?

**Mr. Speaker:** That is right. We have had occasion when there have been affixed to T-shirts and such like, things that identify them with a specific cause, which is quite legitimate outside but would not be appropriate inside.

I understand we do have some interns in the gallery who are at liberty to be here. They have every right to be here and I understand they are here. That is about all I can say.

## SNOW FENCE

**Mr. Warner:** Mr. Speaker, on the west side of Queen's Park property for the last little while there has been a snow fence erected which cordons off a section of the lawn. Ordinarily this shouldn't be a problem, except that yesterday it prevented a number of youngsters, including some in wheelchairs, from having an unobstructed view of the Santa Claus parade.

I would ask the Speaker to take appropriate action so that this unfortunate incident does not recur at any future Santa Claus parade in the city.

**Mr. Speaker:** I would like to remind the honourable member that anything outside this building is not under the jurisdiction of the Speaker and I suggest he take that up with the Minister of Government Services (Mr. Wiseman).

## BENDIX CORPORATION

**Mr. Mancini:** Mr. Speaker, on Friday, October 24, during the question period, the leader of the third party rose and questioned the Minister of Labour (Mr. Elgie) concerning some potential layoffs, referring to spin-off effects of the closure of the Bendix plant in Windsor.

The leader of the third party is quoted in Hansard as saying, "This also threatens jobs at Charles Laue in Windsor and at the SKD plant in Amherstburg." I have had the opportunity to speak with the union plant chairman at Amherstburg representing the United Auto Workers' local at the SKD plant. He has informed me that there have been no layoffs at the plant due to the closure of Bendix and that none is foreseeable. I have also had the opportunity to speak with the assistant plant manager at SKD, who has informed me of exactly the same thing.

I am highly offended that the leader of the third party would intimidate the workers by forecasting layoffs which are not in the offing. I would suggest that he instruct his research staff to spend less time on the Toronto Stock Exchange prices and more time on facts and figures about layoffs.

**Mr. Cassidy:** Mr. Speaker, on the point of privilege—

**Mr. Speaker:** That wasn't a point of privilege. It was merely a matter of correcting the record in the eyes of the honourable member who raised it.

**Mr. Cassidy:** If I may raise a point of privilege, Mr. Speaker, my name having been raised, we understood jobs were threatened at the SKD plant in Amherstburg. If they are not going to be taken away, then I would share with my colleague from the Liberal Party his pleasure at the fact there is not going to be any shutdown or problem.

2:10 p.m.

I would, however, point out to the member that too often in the past, assurances have come from companies that nothing is going to happen, only to be turned around the week following, and that is one of the concerns we have in this party.

## ORAL QUESTIONS

**Mr. S. Smith:** If I ask where the cabinet is, would that be my first question, Mr. Speaker? I would have thought the cabinet would want to be here to bolster the spirits of the Premier after yesterday's football game in Hamilton. Leaving a man alone when he is

in acute grief is never a good idea, but maybe next year. I hope the Premier will not hold this against us when it comes to our new stadium and arena. I trust that bygones will be bygones.

## HOSPITAL INTERNS

**Mr. S. Smith:** I would like to direct a question to the Premier in the absence of the Minister of Health (Mr. Timbrell). This is again a question we have asked before, but I think it deserves an answer.

Given that the clear result of every study into the matter has been to indicate that to be a resident and an intern in our teaching hospitals is a combination of a status as a giver of service and as a person learning for a future occupation, and given that that is the result of every study into the matter, what conceivable reason is there for the government to deny compulsory arbitration to these people as a way of determining those aspects that have to do with the service-giving portion of their work? What conceivable reason is there to force these people to do something which is very much against their nature and against their professional calling and force them to strike in a situation which surely nobody can be happy about?

**Hon. Mr. Davis:** Mr. Speaker, obviously no one is happy about it. No one likes to see this sort of difficulty. I understand the minister is meeting with representatives right now. In fact, I expect he may even be appearing at the front door.

The problem for the government, of course, is that there is not unanimity within the profession, within the hospitals and, I guess even more particularly, within the universities. The member is a doctor, I am not. I know that in the legal profession articling students are still learning, although I hear from the odd one that they feel they are sufficiently knowledgeable to start to practise. Whether they have the same views as people in the medical profession, I cannot say from any personal experience.

I would say to the Leader of the Opposition and to the public that this is a situation in which the government is endeavouring to resolve a problem where, among the profession itself, there is less than unanimity. What the ministry has been attempting to do is to sort it out in a way that is relatively acceptable to all of the participants, I am told, particularly the universities.

**Mr. S. Smith:** Would the Premier not agree that the apparent position of the min-



istry seems more to support the viewpoint of the universities and to a lesser extent the teaching hospitals? Would the Premier not agree that in a situation of this kind, where time and again the matter has been studied, there really cannot possibly be another mechanism by which a reasonable way of settling differences concerning salaries, hours of work, conditions of work—things of this kind—can occur?

Would the Premier keep in mind that most of these people put in many more years than the average articling student, provide very long hours of service, very useful service, which would have to be obtained in some other way? Perhaps articling students also provide services, but this matter has been studied very extensively in every province of this country and the conclusion is always the same. Would the Premier therefore intervene, give them compulsory arbitration and get this very unfortunate situation dealt with as rapidly as possible?

**Hon. Mr. Davis:** Mr. Speaker, the Minister of Health is now here. I just emphasize to the Leader of the Opposition that my understanding of the situation from any discussions I have had with the minister, who may wish to add something to this discussion, is that it has not been a question of the ministry being in support of or opposed to. The ministry is really not directly involved, other than through the funding to the hospitals. The situation is a debate or disagreement among the members of the profession, the interns, the residents, the hospitals and the universities.

I would certainly not want to speak on behalf of the legal profession, except to point out that the length of time involved is very comparable. One could argue the value of service given by a member of the legal profession vis-à-vis a member of the medical profession and I will not get into that sort of debate. I realize the professions are very different. I cannot make a judgement.

I am not prepared to say how much of an intern's time is educational and how much of it is in providing a service. I certainly would not debate the number of hours. But I think there is an acceptance that a part of what they are experiencing is in the form of education. What the percentage is I cannot make any judgement about.

I am just saying to the Leader of the Opposition the government's function has been and still is to try to bring the various groups, including members of his profession, into a

form of consensus that can resolve this problem. We are not taking one side or the other, as I understand it. It is a question of trying to find a solution acceptable to all those involved, because we are not one of the main participants; we really are not.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Would the Premier not accept that the real difficulty is the lack of unanimity among the ministers of the crown who have engaged themselves in this dispute? The dispute would have been resolved by now if the Minister of Education (Miss Stephenson) had not injected herself into it and had not insisted that the universities take part in the discussions. The universities' hidden agenda is to impose a contract on the doctors that would be a medieval type of stipend rather than treating them as workers.

Does the Premier not understand that however one cuts the educational component, the doctors are working for 70 to 90 hours a week in paid work and they should be treated as employees of the teaching hospitals? Will the Premier not tell the three ministers either to get their act together or get out of this dispute completely so that the Premier himself can intervene and get a settlement between the teaching hospitals and the interns and residents without the intervention of the universities?

**Hon. Mr. Davis:** Mr. Speaker, as is so often the case on these sensitive issues, the leader of the New Democratic Party is totally wrong. The Minister of Education and Minister of Colleges and Universities (Miss Stephenson) has not injected herself into this in any negative sort of way. There are very few people I have known in terms of government responsibility who have a greater awareness or sensitivity. She also happens to be, in this case, a member of the medical profession and, I think, brings an awareness that a lot of other people perhaps could not appreciate.

I would also say that any intervention has not in any way inhibited a desirable result. The fact is the parties have not agreed.

The leader of the New Democratic Party—and this is a breakthrough—missed something on Friday. I am delighted he is back. His colleague the member for Riverdale (Mr. Renwick) had him at world price in his energy policy—

**Mr. Speaker:** That is not part of the question.

**Hon. Mr. Davis:** He did; he is smiling because he knows—

**Mr. Renwick:** I really got to you, didn't I?

Hon. Mr. Davis: I remember it, Jamie—

Mr. Speaker: Order.

Hon. Mr. Davis: I am not quite finished.

Mr. Speaker: Are you going to talk about oil prices?

Hon. Mr. Davis: I will not get into oil. But what I sense from the question from the leader of the New Democratic Party is that he is now, unlike the traditional philosophy of the party, in favour of compulsory binding arbitration as a method of settlement. That is exactly the inference he is creating and what he is trying to say to the interns who are with us.

Mr. Cassidy: Mr. Speaker, on a point of privilege—

Hon. Mr. Davis: It is what he said.

Mr. Cassidy: —the Premier is distorting what I had to say. What I said is that if he would intervene and get the universities and medical schools out of this dispute, the teaching hospitals and interns could and should come to an agreement.

Hon. Mr. Davis: I am not distorting it at all; you are trying to have it both ways.

Mr. Speaker: A new question.

#### NORFOLK TEACHERS' DISPUTE

Mr. S. Smith: Mr. Speaker, the other day the Minister of Education suggested that if the board and the teachers in Norfolk county do not act in some way that is more acceptable to her, she might change the present way of dealing with teaching disputes—or words to that effect.

Can the minister tell us what action she is prepared to take, given the fact that those schools remain closed, that the students are still doing without their education and that there are strikes in two parts of the province at the moment? Will the minister tell us whether she is now prepared to take what I suspect is going to be her position by the time the next election comes anyhow, and propose binding arbitration of a permanent type to supplant this business whereby children are shut out of the classrooms while boards and teachers argue?

2:20 p.m.

Hon. Miss Stephenson: Mr. Speaker, I am delighted that the honourable member is aware of the fact that within the Matthews commission report there is a very straightforward admonition to the parties to collective bargaining within the school system. I was attempting to repeat that admonition

as clearly as possible the other day, that if the responsibility which devolves upon those parties as a result of Bill 100 is not assumed and discharged by the parties, there would be a very great move in this province to some other means of resolving the problem.

The Matthews commission has recommended that we retain the present system with some slight modifications, which the commission hopes would reduce the period of time. The major players within this situation most certainly have supported that position in their submissions to the Matthews commission. When that report was delivered in late June, it was made freely available to the public and I committed myself to hearing responses from a number of groups—those who had submitted briefs to the commission and those who had not, and from members of the public—those are coming in.

It was my hope that those responses would be available and collated by mid-November. Unfortunately, one of the major groups has not as yet responded and says it will not be able to, with a slightly modified position, before the first of the year. I am committed to awaiting those responses before any major change takes place.

I do want to remind the honourable member and all those who are involved in consideration of this matter that the right that was granted in Bill 100 was not granted lightly nor was it granted frivolously. It was granted on the basis of consideration of the fact that this specific group within our society should have rights relatively equal to other groups. I do not think one can remove that right without careful and critical assessment and consideration of the entire matter. That is what we are attempting to do at the present time.

Mr. S. Smith: This is obviously an historic climb-down for the minister. She now says she is prepared to remove the right to strike with careful and critical consideration. That is what she said and she can certainly deny it if she wishes to stand and do so.

Since it is obvious that the government is now preparing to climb down on this issue and substitute compulsory arbitration—probably by the end of the year, certainly by the next election—for the right to strike, why does the government not adopt that position right now and stop the farce of pretending it needs some kind of public response to the Matthews commission or some other excuse? The minister knows she is changing her position. Let her change it now and get the present strike settled.



**Hon. Miss Stephenson:** The Leader of the Opposition has two of the most delightful faculties I know: that of putting both feet in his mouth, and tunnel vision, which allows him to see only what he wants to see.

There is no implication within my remarks that any position has been changed. We are trying to be rational, logical—unlike the Leader of the Opposition—and sensible about the route that has to be taken in dealing with this matter. The concern about children is uppermost in my mind at all times in relation to the school program, but the school system is one that must be dealt with on the basis of logic and rationality. I would hope the Leader of the Opposition would change his usual illogical frame of mind and think seriously about what he is suggesting.

**Mr. Nixon:** Supplementary, Mr. Speaker: I wonder if the minister is aware of how wrong the Premier (Mr. Davis) is again. The only time he resurrects his selective memory is when he is standing on particularly weak ground, as he is now.

Would the minister not agree that the situation in Norfolk is a special one, since the chairman of the board has been hospitalized, the member of the board who has been chairman of the negotiating committee has withdrawn her nomination for election, and the elections are going to be held a week from now?

It is going to be practically impossible for any meaningful negotiations to take place under these circumstances, particularly since the Education Relations Commission, following the mandate dictated to it by the former Minister of Education, the present Premier, is simply never going to recommend that the children's education is in jeopardy, which speaks volumes for the education system the minister is in charge of.

Would the minister not consider this a special case and take the moves necessary to reopen the schools, since they are now entering their sixth week of closure?

**Hon. Miss Stephenson:** Mr. Speaker, that is incorrect; they are not entering the sixth week, they are beginning the fifth week at this time.

**Mr. Bradley:** That is all right, then.

**Hon. Miss Stephenson:** No, it is not all right.

Mr. Speaker, I am delighted to hear that the gentleman who provided the real foundation for this legislation is questioning whether it was appropriate. I would remind him that the Premier was not the Minister of Education at the time this bill came in, so the

honourable gentleman opposite has a little difficulty with memory as well.

I think all strikes and lockouts in the school system are unusual and all specifically difficult. I would like to find a way to solve them all in a hurry. There is a specific problem related to the items the honourable member has suggested, about which I received the information at the end of last week. We are looking at this at the moment to see if there is some way we can be of greater help to that board and that group of teachers to try to establish a negotiated settlement in Norfolk to resolve their difficulties.

### LIQUID INDUSTRIAL WASTE

**Mr. Cassidy:** Mr. Speaker, I have a new question to the Minister of the Environment and I wish to send to him an affidavit we have received from Mathew Edenson of 33 Maplecrest Avenue in St. Catharines. Mr. Edenson's affidavit states:

"I worked for Woodington Systems Incorporated, Niagara Falls, Ontario, from November 7, 1979, to May 15, 1980. Be it known that I am personally aware of hundreds of full drums systematically being trucked into, deposited and covered up in Walker's west quarry dump in Thorold without testing or investigation of the contents of the drums by Woodington or by Walker Brothers Quarries."

The two companies work closely together and the contents of the drums were apparently liquid waste. In view of the fact we understand the site is being excavated and the liquid waste in drums is being trucked away with as little control as was exercised when they were trucked into the Walker's quarry dump, will the minister now reverse his refusal to put a 24-hour ministry inspector on that site? Will he thereby act to prevent further illegal disposal of liquid industrial waste in the Niagara Peninsula?

**Hon. Mr. Parrott:** Mr. Speaker, in response to that question I will again say that if anyone is engaging in illegal practices of receiving waste, he too will receive the same harsh treatment anyone who is in violation of that process is subject to right now, and it is harsh.

The honourable member posed two points. One was, what will be done with the waste that somebody supposedly is taking some place else? May I remind him that this must only be done at approved sites; surely that point is obvious to him. He therefore asks

that we have 24-hour inspectors put on all liquid waste receiving facilities, which is precisely what we are planning for and precisely what we want.

We think two, three or four facilities in this province will be able to handle all the liquid waste in Ontario, whether it be in solidification, incineration or even storage. We think we should have those facilities licensed and that on a 24-hour basis we should have people not only testing what comes in but making sure the samples taken are submitted to the ministry for full approval before disposal is done.

2:30 p.m.

That is precisely what we are hoping to do. But, in the interval, to have every site on 24-hour inspection is impossible. It would take literally thousands of people and therefore would be impossible to do. I am not about to put 24-hour inspection on every waste site in Ontario that has a liquid waste certificate. It is that simple.

**Mr. Cassidy:** I would like to redirect my supplementary to the Premier, Mr. Speaker, who is responsible for overall government policy. In view of the fact that the Minister of the Environment has just rejected *prima facie* evidence that liquid industrial waste is being illegally taken from a site that is not an approved depository for industrial waste and that it is going somewhere else across the province, and in view of the continuing evidence that the Minister of the Environment is incompetent to tackle this problem where there is very clear evidence that liquid waste is being mishandled and people's health is being put at risk, will the Premier step in personally? Will he accept the resignation of the present Minister of the Environment and put somebody in to do the job of cleaning up the waste at the Walker Brothers dump and across the province?

**Hon. Mr. Davis:** Mr. Speaker, there were two or three questions in the honourable member's supplementary. I will deal with the latter part of the question first in my usual noncontroversial fashion.

The honourable member asked me if I would accept the Minister of the Environment's resignation. The answer to that is a very simple "No." He understands that. I owe the honourable member an explanation why I would not. It is because (a) the minister has not submitted it; (b) I would not accept it if he did, and (c) he happens to be one of the most competent ministers of the crown.

In terms of the environment, we have a record that is unchallenged. I have to tell the member that if he went out to Saskatchewan he would not find better environmental laws or better environmental protection there under his Socialist friends. He will not find that anywhere. The only thing I regret is that the honourable member quite obviously does not have within his own caucus a man of similar talents to the Minister of the Environment. No one over there is close. Not even the member for York South (Mr. MacDonald) comes close.

What was the other question? I should also say, with great respect to the leader of the New Democratic Party, that he has an affidavit from somebody. I do not dispute whether it is a valid affidavit. He sent it by a page, in very dramatic fashion, across to the minister of the crown. He could have sent it more than an hour ago if he had wanted to. He presents it to the minister and says, "Here is *prima facie* evidence." With great respect, that is not *prima facie* evidence, nor did the minister say he was rejecting it.

The honourable member is getting like his colleague the member for Welland-Thorold (Mr. Swart). I thought he might have had something more dramatic than that. I can only say that the Minister of the Environment has not rejected anything. If there are people breaking the law they will be prosecuted. I would assume the honourable member has, perhaps, other evidence. I am sure he will forward that to the minister as well. But in answer to the question, (a) he did not reject it, and (b) I do not intend to accept his resignation.

**Mr. S. Smith:** I have a supplementary for the Minister of the Environment. I am sure the minister is concerned about the demand for his resignation. Perhaps it means the NDP will vote against his estimates when they come up for a vote. We will have to wait and see.

May I ask the minister how it is that his officials in the Ministry of the Environment gave permission to have the sludge from Ford deposited in the Walker Brothers quarry, given the fact it contained chromium and that meant it simply could not qualify as an inert solid? Anyhow, does the minister honestly believe that by sprinkling some sand into a liquid poison he can say, "Poof, it is a solid," and he need not pay any more attention to it?

**Hon. Mr. Parrott:** The last time I saw that advertisement, Mr. Speaker, was when



the TV program "What's My Line" was on. That was a long time ago. I do not know what the Leader of the Opposition's line is these days. However, Mr. Speaker, I think what is important in this instance—

**Mr. Speaker:** Is what is happening to the question period.

**Hon. Mr. Parrott:** I think what is important is to try to determine what does happen when the rain comes into contact with that material. Does it leach out anything or does it not? There is no doubt in our minds that it is quite well within any limits—indeed, considerably below the health limits. It is quite an acceptable method whereby the contents of that can be appropriately addressed. Whether the leader of the Liberal opposition likes it or not, that is the scientific fact.

No one in this House needs to question again how serious we thought this whole issue was. Long before the issue was raised in the House we had a police investigation and that is continuing now. We do not have the report from that investigation but are looking forward to receiving it soon. We consider it a very serious infraction; we consider it so serious that we suspended any possibility of dealing with that company until all allegations were cleared. So we did not take it lightly; we acted well in advance of the issue being raised in the House and will continue to consider it a very serious matter.

While I am on my feet perhaps I might respond to the point of privilege—no? Okay.

**Mr. Cassidy:** I would say by the way, Mr. Speaker, I would have a lot—

**Mr. Speaker:** A new question.

**Mr. Cassidy:** I was going to give an endorsement to the member for Wentworth (Mr. Isaacs) as the next Minister of the Environment in Ontario. However, I had better not follow up with that.

### MILK PRICES

**Mr. Cassidy:** Mr. Speaker, I have a new question for the Minister of Consumer and Commercial Relations. A week ago I asked the minister to step in and protect Ontario families from unjustified increases in the price of milk in the wake of the seven-cents-a-litre increase of which the farmers took only 2.8 cents.

The minister told the House the financial papers would show that dairies are in a very precarious financial position and he then said the milk price increase was therefore justified.

We have found in the financial pages that Becker's profits were up by 84 per cent last year, and Silverwood's profits were up by 49 per cent last year and 97 per cent the year before.

The ministry's own royal commission on discounting and allowances in the food industry established an after-tax return on equity for dairies of 15.5 per cent, which Judge Leach described as healthy. Will the minister reconsider his position and use his power to roll back unjustifiable increases in the price of milk in view of the fact that clearly the dairies in the province are making profits that are at least healthy—in fact more than healthy?

**Hon. Mr. Drea:** Mr. Speaker, all of this was discussed in my estimates last Wednesday. I am rather amazed that such a jut-jawed leader would come back to be hit again.

However, when the leader of the third party talks about profits of the dairies, his own member in the estimates last week had to concede that Becker's profit is a consolidated profit. It involves not only milk but stores which deal in other very profitable things. He also had to concede that the statement for Silverwood's is not a Silverwood Dairies statement but a consolidated statement reflecting Mac's and other operations.

I have no desire to deviate at all from the royal commission report which said it was healthy. In the financial pages I drew to the members' attention it is a matter of record that, prior to the filing of that royal commission report, the industry as a whole had pointed out that dairy processors were in very substantial difficulty. I stand by that.

Since the honourable member has brought up the question of rolling back, I want to discuss some other things that reflect upon his research capabilities.

2:40 p.m.

**Mr. Speaker:** If it deals with the specific question that was asked, it is permissible; otherwise, it is not.

**Hon. Mr. Drea:** Yes, it does, Mr. Speaker. It was some kind of an estimate of some American, based upon a 1966 report and a 1975 report, which never discussed either Canada or Ontario, and that was admitted in the estimates, but it was extrapolated to show that in terms of milk and in terms of food the Ontario consumer was being ripped off. I would point out that Judge Leach of the royal commission on discounting found

all of the matters to be perfectly fair, perfectly justified and perfectly healthy.

**Mr. Cassidy:** If the minister is finished his rant, let us get back to the question of whether or not consumers will be protected against unjustified increases in the price of milk. Will the minister tell the House how far the profits have to go in the dairy industry and in the milk industry before he will intervene to protect consumers and ensure that they get a fair deal?

**Hon. Mr. Drea:** Obviously the leader of the third party wants to remain in that category because he will not listen. I said a week or so ago that after looking at the price increases in milk—at least the ones within my sphere, because I do not intend to look at the farmers' end of it, which has been before a commission—I did not find the increases were not justified. Now he is asking me about profits. I have no rule about profits. If I find that something is unjustified in terms of the consumer, I will act upon it. It is that simple.

**Mr. Mancini:** Mr. Speaker, my supplementary concerns the pricing policies that are being used by the dairies. I would ask the minister if he is aware that over the past few years the dairies have forced the milkmen of Ontario to buy the routes they had established and to buy the vehicle they were using, and that after the dairies had forced this policy on their employees they set about a new policy which used milk as a loss leader in the grocery stores, therefore putting their one-time employees out of business? Since the royal commission did not look into that aspect of pricing, does the minister think this is fair? Would he check with the dairies to ensure that they stop this very unfair practice.

**Hon. Mr. Drea:** Mr. Speaker, I will look into it. Although I had nothing to do with that particular commission, I am surprised to hear that a matter like that, which does reflect upon price or upon business practices and was within the scope of that commission, was not discussed. I will look into it.

#### RAPE EXAMINATIONS

**Mr. Stong:** Mr. Speaker, in view of the absence of the Solicitor General and the Attorney General (Mr. McMurtry), I have a question of the Premier.

In view of the statements made over the weekend by Sergeant John Luby, a 20-year member of the Metropolitan Toronto police force, seven years of which were spent in the morality squad, would the Premier name the

hospitals that still refuse to do examinations for evidence of sexual assault, even though this question was raised by this member in February 1978 and again in December 1979, and the Minister of Health (Mr. Timbrell) assured this House on December 4, 1979, that such examinations were given as a matter of policy?

Would the Premier instruct the Solicitor General and the Attorney General to improve the ways of eliciting more co-operation from doctors who are at present very reluctant to make examinations for evidence of rape, even to the extent of considering criminal charges of obstructing the administration of justice where the facts warrant.

**Hon. Mr. Davis:** Mr. Speaker, I would inform the House that the Solicitor General, in company with the Attorney General, is in either Victoria or Vancouver along with other Attorneys General and Solicitors General, resolving all the problems that confront Solicitors General and Attorneys General across this country, and will be there for the next two or three days.

I am not aware of the particular situation. I recall the honourable member raising it. If I happen to be talking to either the Solicitor General or the Attorney General in the next day or so before he returns from Victoria or Vancouver, I will get that information for the member. If I am not able to do so, I can assure the member I will get a copy of the question to the minister and he will have a full answer for the member on his return.

**Mr. Stong:** Supplementary, Mr. Speaker—

**Mr. Speaker:** Obviously you are not going to get a response until the return of the Attorney General. When he responds to the initial question, if it is not complete you will be given an opportunity for a supplementary.

**Mr. Stong:** While he is speaking to his minister, perhaps he could instruct him on two other matters, if I may put them to the Premier.

**Mr. Speaker:** Including the five you have already raised?

**Mr. Stong:** Yes, Mr. Speaker.

**Mr. Speaker:** It might more properly be an inquiry of the ministry.

**Mr. Stong:** I have just two more that perhaps could be included in the answer. Does the minister agree that the police and court system already poses a significant barrier to women reporting sexual assaults? Does he not think the police use of the lie detector test is a further affront to the credibility of women in this traumatic situation? Will the Premier



instruct his minister to eliminate the use of such lie detector tests in such circumstances?

**Hon. Mr. Davis:** Mr. Speaker, the honourable member might do me the service of just sending over a copy of the questions that he has been reading to the House here this afternoon, and I will take all of them up with the Attorney General. I am not in the habit of instructing ministers of the crown; I am in the habit of asking them, discussing issues with them. But I will be delighted to raise the new seven points contained in the questions. I would only ask the member do me one small favour, that is, send me a copy of that typed piece of paper that somebody gave him and that he read to me here this afternoon, and I will do my best for him.

### LIQUID INDUSTRIAL WASTE

**Mr. Isaacs:** Mr. Speaker, I have a question for the Minister of the Environment. Now that provincial offences officers or bylaw enforcement officers appointed by the township of Harwich have obtained search warrants to search files of the Ministry of the Environment, and now that those township officers have been given access to ministry files and have obtained information that will help the township protect its environment around that landfill site, will the minister open his files to Thorold and to Hamilton-Wentworth and to any other interested council or citizens' group, so that those people can do what Harwich is doing in an effort to protect the environment around the landfill sites located in their municipalities?

**Hon. Mr. Parrott:** We have no reason to keep anything from the public record, Mr. Speaker. I think, if I can recall correctly, 95 per cent of the member's questions result from asking questions of our ministry, obtaining information from that ministry and then framing questions around the information that we supply to him. We do it continuously, and we put the record clearly open to the public to see.

**Mr. Isaacs:** If that were the truth, why is it that the township of Harwich has gone to the trouble to obtain search warrants and has obtained information from those search warrants, or at least from the co-operation that it got only after it had search warrants, that enabled the council to demonstrate that industrial waste has been brought into that dump from the United States when previously the council had been told by the ministry officials that no American waste was going into that landfill site?

**Mr. Speaker:** That wasn't a question. Interjections.

**Mr. Martel:** On a point of order: Might I ask the Speaker why he has ruled that was not a question? The question is quite obvious: Why is it necessary to get search warrants to obtain material that the ministry won't provide?

**Mr. Speaker:** It might have been obvious to you; it wasn't obvious to me. I listened very carefully—

**Mr. Martel:** So did I.

**Mr. Speaker:** There was never a "when," "why," "where," "what."

**Mr. S. Smith:** On that point of order, Mr. Speaker: I must say I would like to support the member for Sudbury East in this regard because the question plainly was—

**Mr. Speaker:** Order. I listened very carefully. There was no question. It was a reaction to the initial response.

2:50 p.m.

**Mr. S. Smith:** On a further point of privilege, then, this minister has stood in the House, Mr. Speaker, and has said those files are open. I defy him again to produce the site inspection reports from Hamilton-Wentworth I have been asking for for over two and a quarter years now. If they are open, will the minister produce them; otherwise, will he withdraw his statement?

**Hon. Mr. Parrott:** Mr. Speaker, in response to that, I have never said those were available for here. They were available to the courts and I think that is where they should be available. There is no record in this House that says they should be made available to the leader of the Liberal Party.

Just last week he promised on the record to send over the waybills. I am waiting. He cannot do it and he knows it.

### HALTON FINANCIAL DEFICIT

**Mr. J. Reed:** Mr. Speaker, I have a question for the Minister of Intergovernmental Affairs, who I see has just come into the House. I wonder if the minister is aware of the current financial deficit prevailing in the regional municipality of Halton which has resulted from the region's administrative practices and fiscal management. Further, if the minister is aware of the situation, does he have any—

Interjections.

**Mr. Speaker:** Order. The idea of question period is to allow in turn, in the proper

rotation, an opportunity for all members to participate. I suggest to all those who are barracking that they give the honourable member who has the floor an opportunity to put his question.

**Mr. J. Reed:** Thank you, Mr. Speaker. The question is to the Minister of Inter-governmental Affairs. I ask the minister, is he aware of the current financial deficit prevailing in the regional municipality of Halton which has resulted from the region's administrative practices and fiscal management? Further, if the minister is aware of the situation, does he have any intention of investigating the reasons for such a deficit?

**Hon. Mr. Wells:** Mr. Speaker, the answer to the first question is, yes, I am aware of that; and to the second, no, I do not have any intention of investigating the reasons for it. I think the body that should investigate the reasons for that difficulty is the regional council itself. It should initiate an investigation.

We have indicated to that region, and in fact to all municipal governments in the province, that we do have a field service organization with people all around the province to assist them. They should be aware of good administrative practices in handling their financial matters. We will give them any assistance they want in carrying out these investigations as to why these problems have occurred.

**Mr. J. Reed:** Will the minister accept, as evidence of the deep concern of the citizens of Halton region, this petition from 166 residents of the former township of Nottawasaga requesting a commission of inquiry into the fiscal management of the region of Halton, pursuant to section 323(2) of the Municipal Act? Will the minister give this his very serious and deep consideration?

**Hon. Mr. Wells:** I would be happy to look at it. I just draw to the member's attention that he is not bringing something new to my attention. I know the problem in Halton, and the responsibility is with the council, the people who employ the staff in the region, to find out why this deficit is suddenly there. I gather they did not expect or believe it was going to occur.

I am sure my friend is aware that municipalities do not have the right to deficit finance.

#### NIAGARA ESCARPMENT DEVELOPMENT

**Mr. Swart:** A question to the Minister of Housing, Mr. Speaker. Now that I have

the 11 letters from his ministry, which were the basis of his transferring the 300-acre development on the Niagara Escarpment in the Beaver Valley area to the Ontario Municipal Board—all 11 letters oppose it, and I have the minister's letter transferring it—does he not realize the referrals were requested only because the people do not trust the minister after Cantrakon and suspect he had approved the huge development on the escarpment?

Therefore, I now ask the minister specifically whether he will withdraw his request for a hearing on the issue by the OMB and give a commitment to this House that he will reject the amendment of the submission to him if all 11 objectors now withdraw their requests for a referral?

**Hon. Mr. Bennett:** Mr. Speaker, the first part of the member's question is, of course, the rhetoric he has used for the last year or two and so we will disregard it.

Regarding the second part of his question, if all of the parties, including the municipality, which have requested the referral to the OMB agree with the withdrawal from the OMB as it now stands, then obviously that withdrawal will take place. That includes all parties to the request. That is the simplistic way of handling it.

I referred it to the OMB at the request of 11 people—not three, as the member once stated—and if those 11 plus the municipality wish it to be withdrawn from the OMB, the simple way of doing it is by their request to me, unanimously.

**Mr. Swart:** May I ask the minister why he would write the following sentence in the letter of transferral to the OMB: "The public hearings on the proposed Niagara Escarpment plan are currently in progress. As it is clear that it will be some time before the plan is finalized, I consider it appropriate that the proposed amendment be dealt with by the board"? Why would he do that when the Niagara Escarpment Commission has asked specifically as its policy that no major development be dealt with until the Niagara Escarpment plan is finalized, and the chairman of the board asked in a letter dated September 22 that the minister not approve this particular proposal?

**Hon. Mr. Bennett:** I have not approved of this particular proposal. Obviously the member does not understand. The municipal board will make the decision. That is an interesting situation. Members of the opposition, and indeed members on this side of the House, quite often want things to go to



municipal board because they think that is where the fairest understanding of a situation will be dealt with, and that is the action this minister has taken in referring amendment number 33 to that particular official plan.

It has gone to the OMB for a decision. I have said clearly to the OMB—and this is not the first occasion I have made this statement to the OMB—that it should be dealing with this amendment at this time with some degree of consideration for what is taking place on the overall escarpment development, but this one should not be held pending the completion of the escarpment program.

Obviously the escarpment program and plan is going to be some two or three years down the way and not every individual, whether it be a single individual or a corporate structure, should have to wait for the conclusion of that particular plan. Certainly the OMB has the competence, capabilities and understanding of what is required in the economy of Ontario to deal with these requests by the municipality, by individuals or by corporations.

#### GO TRAIN SERVICE

**Mr. Bradley:** Mr. Speaker, I have a question for the Minister of Transportation and Communications. In view of the announcement by the Premier of Alberta last week concerning the cutting of oil supplies to the rest of Canada, and in view of the fact that the Queen Elizabeth Way is now for all intents and purposes a two-lane highway between Hamilton and Toronto because of the interruptions caused by maintenance and construction work, is the minister now giving serious consideration to extending the GO train services around Hamilton Bay as far as perhaps Stoney Creek?

**Hon. Mr. Snow:** No, Mr. Speaker, we are not.

**Mr. Bradley:** In view of the potential shortage of fuel that we may experience here in the east, is the minister then prepared to provide for the residents of Durham East the kind of service from the bus to the GO train that is available to the constituents of Oakville and Brampton, as was promised by the member for Durham East (Mr. Cureatz)?

**Hon. Mr. Snow:** We seem to be jumping from east to west and from west to east.

**Mr. Breithaupt:** And you are in the middle.

**Hon. Mr. Snow:** That's all right; I always am.

If the city of Oshawa were to approach the ministry, we might very well consider the same type of service. If Oshawa Transit wished to engage in an experimental program similar to that being administered by Brampton Transit and Oakville Transit, we might consider that, but not the program that I read about in the paper, which would be the same as giving all the people in Hamilton and Burlington a free bus ride to Oakville. May I just say one has to understand what one is talking about before one knows what one is saying.

3 p.m.

#### FRANCOPHONE ENUMERATION

**Mr. R. F. Johnston:** Mr. Speaker, I have a question for the Minister of Education. I presume that the minister is ashamed of the results of the partial enumeration of voters for French-language advisory committees of boards of education. How does she justify finding only 1,526 French-speaking electors in the three FLAC areas of Metro when the 1971 census showed that 103,000 French-speaking people lived in those areas? In Scarborough she found 76 fewer voters than the Scarborough committee had already found on its own.

How many electors in total responded in the 39 FLAC areas around the province? Was it the same one per cent kind of response? How much money did she spend on this farce rather than undertaking a full enumeration, as we all asked?

**Hon. Miss Stephenson:** Mr. Speaker, in the first place this was a considerate and, I think, a very thoughtful exercise to attempt to assist the members of the French-language community to find those who were potential electors for French-language advisory committees.

There were very few problems with the method used. Indeed, the method was considered to be a useful project this year in an attempt to be of that assistance. All the figures and all the information are not as yet within the ministry. I have made a commitment to the French-language community—to the five French-language associations—that none of the information will be retained within the Ministry of Education, and I am living up to that. As the information is developed for each board, the board and the French-language advisory committee are provided with that information, and no record is kept within the ministry at the request of the French-language associations.

**Mr. R. F. Johnston:** May I redirect this to the Premier, Mr. Speaker? Last June I asked the Premier whether he would do a full enumeration and he gave me an equivocal answer. Will he now unequivocally commit himself and his government to making the enfranchisement of French-speaking electors of French-language advisory committees a right and not a privilege, as it is now, and guarantee a full enumeration of those voters as early as possible?

**Hon. Mr. Davis:** Mr. Speaker, I do not recall just how one would describe the answer I gave last year to the question from the honourable member. I sense the member for Brant-Oxford-Norfolk (Mr. Nixon)—from St. George, or whatever—that's where he lives; the member for St. George (Mrs. Campbell) shouldn't get excited.

**Mr. R. F. Johnston:** It's my question. Answer me.

**Hon. Mr. Davis:** I indicated to the honourable member, when he asked this question in April, May, June, or whenever, that the government would be assessing various recommendations as to how we might best assist the francophone community in the determination of those who would be making their views known to the FLACs.

We developed a program which in some communities apparently has not produced the numbers or the kind of results that normally could have been anticipated. When we have gone through the experience of this year, we as a government will be prepared, as always, to review how we might improve these situations; so I will give the member an unequivocal answer that we will be looking for ways to improve it. That is unequivocal.

**Mrs. Campbell:** Supplementary, Mr. Speaker: While the Premier is investigating this situation, would he care to look at the enumeration in ward 10 of the city, where my French professor lives? She saw the enumerator and the question about her mother tongue was never asked of her. I wonder how many times that happened in ward 10.

**Hon. Mr. Davis:** I cannot guarantee the member for St. George a thorough investigation into ward 10. Certainly, if she will have her French professor call me, I will try—

**Mrs. Campbell:** I will be delighted.

**Hon. Mr. Davis:** Do that. Is it a he or a she?

**Mrs. Campbell:** A she.

**Hon. Mr. Davis:** A she; I will be even more delighted.

## DISPOSAL OF PCBs

**Mr. Nixon:** Mr. Speaker, I would like to put a question to the Minister of the Environment having to do with the \$400,000 grant he announced in July, payable to the scientists at the Royal Military College to complete their investigations into a plasma arc to burn PCBs.

Does the minister need any help in moving aside certain intransigent federal officials so that money can be properly paid and the research go forward without abandoning the gains that have already been made, and so we can have a high-temperature furnace alternative to burning the PCBs, rather than going forward with the minister's program to store them at much greater expense in my constituency in the beautiful village of Middleport?

**Hon. Mr. Parrott:** Yes, Mr. Speaker, I think it would be appropriate to have some assistance in that regard. The member and I have corresponded on it, and I know he and I are disappointed in the speed with which those problems are being resolved. I think he would agree there is nothing more we can do, sitting here. I would be more than prepared to go with the member to Ottawa or have him come with me, whichever would be appropriate—

**Mr. Nixon:** Can we go in the executive Concorde?

**Hon. Mr. Parrott:** I usually take commercial air flights. If a delegation of two would do it, I would like to see it done. The member and I agree it is one of the things that must be done. I am going to Ottawa soon. Would the member like to join me?

**Mr. Nixon:** Although the minister refers to correspondence, I have not been informed what the delay was other than some rumour that there is a fiddling patent we cannot set aside to get this high-temperature furnace operating. Because of that, the minister's plan to spend \$5 million in my constituency for this temporary storage continues. I would like that plan abandoned since there is such a good alternative.

**Hon. Mr. Parrott:** There are good alternatives, not only in the plasma arc but also in cement kilns. There are all kinds of excellent ways of destroying PCBs. We certainly concur with him in that we would far rather see them destroyed than stored; there is no doubt about that.

The problem exists between the researchers in the federal government and the patent rights being American-held. We feel it is a



bit much for us to spend all that money, prove the technology and then find ourselves needing to buy that technology back. We are reluctant to do so, and I think that is understandable.

### COMPANY QUESTIONNAIRE

**Mr. Martel:** Mr. Speaker, I have a question for the Minister of Labour. From the statement by the president of Canadian Blower, Mr. J. R. Adare, that, "Anyone who refuses to answer a medical questionnaire would not be hired, because it would be presumed that the applicant had something to hide," is it not obvious that this document is not used for medical purposes but really for hiring purposes? It infringes on the private and personal lives of people and should not be tolerated as of today.

**Hon. Mr. Elgie:** Mr. Speaker, I have very little to add to what I said the other day. I read the form and found it outrageous. The Ontario Human Rights Commission officer from Kitchener is investigating that particular firm to see if there is any discrimination being perpetrated at the present time under the existing code. They are also conducting an informal investigation.

I have indicated to the member I have every reason to believe the amendments I have proposed to the Human Rights Code will correct this situation.

**Mr. Martel:** I appreciate what the minister is doing with respect to this matter, but does the minister not believe that, as of that questionnaire becoming public, not one more citizen in Ontario should have to fill out that type of form? Is the minister not prepared to bring in an amendment immediately, either to the Human Rights Code or to the Labour Relations Act, which could be dealt with expeditiously to prevent this from going on any longer?

**Hon. Mr. Elgie:** As I said, I have every reason to believe that very amendment will be coming in very shortly. At that time, if the member wishes to talk to me about some expedited passage of that particular portion of it, I will be pleased to do so.

3:10 p.m.

### HOSPITAL BEDS

**Mr. Conway:** Mr. Speaker, my question is to the Minister of Health and concerns the report of the gerontological task force of the Ottawa-Carleton district health council.

We are all aware of the great burden that the ageing population figures will place upon our health care delivery system in the last two decades of this century. In the national capital region the number of elderly will almost double in the next 14 years—and Ottawa-Carleton already has an above-average percentage of its elderly institutionalized—and there is an above-average migration of the elderly into the national capital region.

In view of those facts, how is it that the minister, in eight pages of ministerial mush in his letter of October 17, can deny the priority suggestion that an 18-bed short-stay geriatric assessment unit should be created immediately, probably at the Ottawa Civic Hospital? How is it that he can further suggest the geriatric day service at Queensway-Carleton Hospital, while being a good idea, cannot be extended because there is no money, in view of the fact that Ottawa-Carleton is 135 beds below the active treatment bed formula he has forced upon the province?

**Hon. Mr. Timbrell:** Mr. Speaker, as the honourable member will know, from the source of his material, that health council has frequently indicated that the Ottawa area could function quite nicely with considerably fewer beds than our planning guideline shows for Ottawa.

Second, the member will know we have approved the conversion of the old Ottawa General Hospital to a 200-bed chronic care facility. He will also know that in the recent past we have extended the chronic home care program into Ottawa-Carleton.

If the member has read the entire letter, he will also know I am not rejecting it; I am saying a number of those ideas need further study. This late in the current fiscal year, I cannot approve some of the ideas, but certainly they all have merit for consideration for the coming fiscal year.

### MAILING PRIVILEGES

**Mr. Speaker:** On Thursday last, October 30, the member for Ottawa East (Mr. Roy) raised what he at least alleged to consider a matter of privilege in that he had received in his electoral district a copy of what he considered to be political propaganda by the Minister of Culture and Recreation (Mr. Baetz).

An examination of the material indicated it was in fact the minister's constituency newsletter, and of course all members are entitled to distribute such newsletters. Fur-

ther investigation indicates that such mail is distributed by the postmen in their "walks." These walks have nothing to do with the boundaries of electoral districts, and it is usually necessary to furnish this material to a number of postmen whose walks may be wholly or partly within a given electoral district. In this way, a news-letter such as the one in question may very well be distributed outside the bounds of the member's electoral district. In fact, I recall the minister saying last Thursday that he very often receives material from the neighbouring electoral districts, including that of the member for Ottawa East.

It is obvious, therefore, that no privilege of the House has been breached and no action is required of me. I do have a copy of the walks, provided to me by the post office, if the member for Ottawa East would care to look at it.

**Hon. Mr. Baetz:** Mr. Speaker, I very much appreciate the manner in which you have dealt with this subject. On one of the rare occasions when the member for Ottawa East attends this House, I wonder if you, Mr. Speaker, would give him an old-fashioned dressing down for introducing such crass political partisanship in here.

**Mr. Speaker:** No, I will not. It is the right of every member to raise what he considers to be legitimate in nature. My investigation has proved that not to be the case; it was not a *prima facie* case of privilege.

### LIQUID INDUSTRIAL WASTE

**Hon. Mr. Parrott:** Mr. Speaker, I believe the member for Wentworth has asked on a point of privilege, not only today but also previously, whether his rights had been abused by not receiving information.

In the response to the member, I made it very clear to him that I was sending all the communications to the date of his request, and I think that is exactly what we did. What surprises me, and I am genuinely surprised, is that the member should feel his privileges were abused when I made it my business to table that letter here in this Legislature and sent copies of the letter in question, not only to the leaders opposite but also to the critics and to the members of that area. It seems to me that I have made every effort to make sure that communication was in his hands. I fail to see how any privileges were abused.

**Mr. Isaacs:** Mr. Speaker, I might respond very briefly to inform you as to the time

frame: My question was tabled on Thursday, October 9. The letter in question was sent on Thursday, October 16—or at least it was dated that day. The answer to my question was tabled on Friday, October 24. In the answer to the question was a clear statement that the answer was right as of the date of the placing of the question.

I tabled a similarly worded question about another landfill site, with regard to which there has been no correspondence subsequent to the date of the placing of the question. That statement about the answer being correct as of the date of the question was not contained in that other answer. I suggest to you, Mr. Speaker, that the minister's response to my question is rather like saying "Yes" when the real answer is "No" and justifying the yes answer by saying that the answer would have been yes two weeks ago.

I suggest to you that my privileges have been abused if the answer to the question is backdated to the date of the question and does not contain information which was clearly available to the ministry at the time the answer to my question was received and tabled in this House. I would ask you to look into this matter, Mr. Speaker.

**Mr. Speaker:** The longer the honourable member talks about it the more confused I become. He is obviously talking about two separate inquiries of the ministry. I want to remind him that the minister can answer in any way he chooses. Of course, if the member is not happy with that answer, he can draw whatever conclusions may come to his mind.

I will look at it again but, unless the conditions are different than I perceive them at the present time, a further response may not be forthcoming from the chair. But I will look at it.

### MOTIONS

#### COMMITTEE SITTINGS

**Hon. Mr. Wells** moved that the subcommittee of the standing committee on the administration of justice be authorized to sit tomorrow morning, November 4, to consider its report on its review of Ontario Housing Corporation.

Motion agreed to.

**Hon. Mr. Wells** moved that the select committee on plant shutdowns and employee adjustment be authorized to sit today, November 3, tomorrow, November 4, and Wednesday, November 5.

Motion agreed to.



## INTRODUCTION OF BILLS

### HEALING ARTS RADIATION PROTECTION ACT

Hon. Mr. Timbrell moved first reading of Bill 177, An Act to provide for the Safe Use of X-ray Machines in the Healing Arts.

Motion agreed to.

Hon. Mr. Timbrell: Mr. Speaker, I am sure the honourable members will recall that we established last year an advisory committee on radiology, headed by Dr. Brian Holmes, the then dean of medicine at the University of Toronto. Its task was to study the issue of X-ray safety in Ontario. The committee presented its report in March of this year, and at that time I announced that I accepted in principle the report along with its recommendations.

Among the committee's recommendations were that a healing arts radiation protection agency should be set up to oversee and co-ordinate an X-ray safety program for Ontario; that new legislation should be introduced requiring a safety code for all X-ray facilities and equipment as well as registration of all facilities; and that mandatory peer review programs should be established for all groups of operators.

The committee also said it could find no scientific studies that could answer the question of whether chiropractors should take X-rays. The committee recommended that a scientific study on the subject should be commissioned by the healing arts radiation protection agency.

3:20 p.m.

The report has been widely circulated and comments have been received from the major interest groups as well as individual practitioners. Although a few specific concerns were expressed—having to do with the composition of the proposed healing arts radiation protection agency and concerning costs of implementing the program—all agree with the principles set forth in the report and with the thrust of the recommendation.

The government accepts all of the recommendations contained in the report and these form the basis for the new legislation I have introduced today.

The proposed healing arts radiation protection agency will replace present legislation covering X-ray safety. These matters are now covered, only in part, under regulation 721 of the Public Health Act. Regulation 721 was designed primarily for the protection of X-ray workers. It does not, for example, set

standards for the training of all X-ray operators.

The Healing Arts Radiation Protection Act will establish the Healing Arts Radiation Protection Commission. The commission is to consist of five members, none of whom will be health professionals, but it will be supported by professional and technical committees. The responsibilities of the commission will include developing an X-ray safety code, approving courses in X-ray safety for X-ray operators, undertaking appropriate studies and advising me on all matters pertaining to X-ray safety.

The new legislation will also provide for registration of all medical X-ray equipment and its owners as well as provisions to ensure compliance with the act. Regulations under the act will establish qualifications for medical X-ray operators, set standards and procedures for minimizing X-ray exposure to patients, and establish standards for the design and construction of facilities and the operation and performance of medical X-ray machines.

The draft act has been reviewed by the major professional and technical groups which will be affected by it. I am pleased to report that, as a result of this consultative process, there is general agreement with its content.

I would ask the honourable members to give speedy and early consideration to this important legislation so that action can be taken in the very near future to improve the level of X-ray safety in this province.

### INNOCENT PERSONS PROTECTION ACT

Mr. Stong moved that Bill 68, An Act to protect the Reputation of Innocent Persons from Untimely Publicity, be withdrawn.

Motion agreed to.

Mr. Stong moved first reading of Bill 178, An Act to protect the Reputation of Innocent Persons from Untimely Publicity.

Motion agreed to.

Mr. Stong: Mr. Speaker, since I introduced Bill 68, which I have now withdrawn, I had occasion to speak to the Ontario Community Newspapers Association. I was advised of two legitimate concerns that attack the principle of the former Bill 68, and I have written those into the new bill I have introduced.

The purpose of this bill is to protect persons who have been charged with an offence from adverse publicity until such time as a court begins to hear evidence in

the case or the person enters a plea of guilty to the offence.

The exceptions to the principle are occasioned when a person holding public office is accused of committing a breach of public trust or a person accused of having committed an offence cannot be located and publication of the name of the person can be reasonably expected to assist in finding the person.

#### ANSWERS TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Wells:** Mr. Speaker, before the orders of the day, I wish to table the answers to questions 171, 176, 271, 353 to 355 and 358, and the interim answer to question 367 standing on the Notice Paper. (See appendix, page 4025.)

#### ORDERS OF THE DAY

House in committee of supply.

#### ESTIMATES, MINISTRY OF NORTHERN AFFAIRS

(continued)

On vote 701, ministry administration program:

**Mr. Martel:** Mr. Chairman, I want to continue from where I left off last time we met.

**Mr. Ashe:** Complimenting the minister.

**Mr. Martel:** This must be happy day or funny hour or something like that. In fact, I was not going to continue until the minister mentioned he was going to speak about Sudbury 2001. That prompted me to continue.

**Mr. Haggerty:** The minister is prophesying.

**Mr. Martel:** Yes. In fact, I think the minister said he was going to do me in on account of the 2001 project. He provoked me to talk about 2001. As members know, 2001 is the Conservative answer to the 2,400 people who were laid off.

**Mr. Haggerty:** That's like the promise to plant two trees for every one they cut.

**Mr. Martel:** It is even better than two trees for one, because it is even skimpier than that. The 2001 project was the \$600,000 contribution that was going to replace some 2,400 jobs lost at Inco and some 400 or 500 jobs lost at Falconbridge. Most members in the House are not aware that all that separated us from having those roughly 3,000

jobs and not having a layoff was merely \$600,000. That is all that it took. The seed money provided for 2001 was going to resolve the problems of the Sudbury basin and the loss of 3,000 jobs. I did not realize that conditions were that good. I would have hoped the seed money would have prevented a further recent loss of 120 jobs when Inco could no longer sell its iron ore pellets to Stelco or Dofasco and they were forced to dump something like 500,000 tonnes of iron ore into the tailings area.

Lo and behold, all that was needed to save us was \$600,000. That was a real stroke of genius. We are going to replace those jobs with a cottage industry in the Sudbury basin. When is that going to come to fruition? I hope the people who are receiving unemployment insurance after that lay-off will have been able to survive waiting for that \$600,000 over three years.

I do not believe that will resolve our problems, the minister does not believe it and neither does anyone else. The 2001 project was the creation of the local residents up there in an effort to try to entice or bring in some secondary industry to offset some of the shocks that continue to happen with the peaks and valleys of the mining industry.

Unfortunately, that group continued to hold its meetings on Monday nights, and on Monday nights I have an obligation at Queen's Park. I do not have a plane at my disposal as some of the executives do. They hold their meetings on Monday nights, and I was here and my friend the member for Algoma-Manitoulin (Mr. Lane) was here with me.

The 2001 project got itself in a lot of trouble. I want to say that what those two or three people in the organization did was unbelievable. These big businessmen opposite tell us that none of us is in business and we do not understand how it works since we have never had a payroll. I say to the minister that I would not have given \$100,000 to Ernest Schaffernicht to be deposited in a bank in the United States, without some type of agreement or some type of collateral. That is what occurred, as the minister knows full well.

3:30 p.m.

I am not embarrassed by what they did. I was not party to it. I was party, though, to trying to get it cleaned up, because there was our friend Ernest with \$100,000 sitting in Texas buying goats. In fact, he once made the claim that he was going to produce so much goat wool he would make Inco look



like small potatoes. He was going to produce wool like you would not believe. We could have clothed the entire world, if not the universe, with the amount of wool that Ernest was going to produce.

**Mr. T. P. Reid:** Was this the sheep farmer?

**Mr. Martel:** No. Goats.

**Mr. T. P. Reid:** There's the goat right over there.

**Mr. Martel:** My friend got involved in the act.

**Hon. Mr. Bernier:** Remember the board of directors?

**Mr. Martel:** Yes, and I didn't get a vote on it. That's what irritates me no end: it was all the businessmen who voted.

Interjection.

**Mr. Martel:** I am coming to the Liberals. The gentleman who obtained the cheque from the region and passed it on to Mr. Schaffernicht without any type of agreement was close to being the Tory provincial candidate. He was being wooed by the Tories. Last November he was in Toronto meeting with the Tory hierarchy. He was going to become a Tory candidate. But he is an ambitious young fellow and, when Mr. Speaker Jerome decided to retire, regional chairman Fred abandoned the Tories and jumped back in bed with the Liberals. He ran for them.

**Hon. Mr. Bernier:** Minister of mines.

**Mr. Martel:** He thought he was going to be Minister of Energy, Mines and Resources. He did not quite make it. I do not know why, but that is the friend of 2001 who gave the money away.

Then he came to the Minister of Northern Affairs (Mr. Bernier) and said: "Look, Leo, old buddy, will you give me the \$100,000 so I can put it back in the bank?" To his credit, the minister said no. I think I told the minister to say no because it was crazy. If that is the kind of antic that is going to go on in 2001, it is in trouble.

I well recall spending hours doing research on mining equipment, making a presentation to them and encouraging them. We brought over Mr. Letts from North Bay to try to encourage 2001 to move in that direction. They did not have time; they were goatherding. In fact, I hear that the regional chairman went to the Ministry of Colleges and Universities to see if they would establish a course either at Laurentian or Cambrian on goat shearing. That would fill part of the void. With the industry there, we could have a course at Laurentian or Cambrian

on goat shearing. He thought it would make a prime course that would really solve the problem.

That is the problem with 2001. They will not get serious in the areas where there are weaknesses in the area's economy. If a group ever had a mandate to try to entice Jarvis Clark to come to Sudbury, it was 2001. And where is Jarvis Clark going? To Burlington. In fact, Jarvis Clark has bought into a couple of small operations in Sudbury, I am told.

It would be my hope that this government would say to Jarvis Clark, "Look, we will help." We have a university that has an engineering course—one that is four years now. That was a major battle, as the minister knows, to get Laurentian to move from a two-year course to a four-year course. We have the greatest laboratory in Ontario within a 150-mile radius of Sudbury. One could go to the uranium mines at Elliot Lake to test equipment, to the gold mines in Timmins, or to Kidd Copper in Timmins. We have a natural laboratory, and that is the sort of thing 2001 should be involved in. Instead they got into goats and a lot of nonsense like that.

I lent my name to that group. I did not believe they would succeed—I say that sincerely to the minister—but, because I represent a large constituency up there, I tried to give it some credibility. The nonsense that appeared over the goat fiasco did not help anyone. It was the single most destructive item. That we could get a regional chairman transferring money without legal documents blew my mind. They came to me in July and said, "You have got to help us get this sorted out."

My colleagues the member for Sudbury (Mr. Germa) and the member for Nickel Belt (Mr. Laughren) and I went to those meetings in the summer and on into the fall to try to resolve it without its hitting the press. We were not trying to cover up, but we knew we had to get some agreement on the goats. We knew we had to save the credibility of 2001, but that was impossible. They asked for what they got. I ask the minister, if Sudbury businessmen operated in that kind of cavalier fashion, my God, who would want to come there?

We helped to straighten it out, and we had nothing to do with its creation. Most of the stuff was done without the majority of the board of directors even knowing what was going on. I did not have a clue. I was amazed this could occur. They wanted to

bring in volunteer lawyers. There was a lawyer who volunteered his service free. When a lawyer volunteers free service, that service is worth what it cost: zilch. One cannot protect one's interests that way. One has to hire a lawyer, pay him and be in a position where somebody is held accountable for what goes on. That was not the case and it was a fiasco.

I will go on and look after the minister's other interests here in a moment, but I want to tell him that \$600,000 and 2001 are not going to resolve the problems of the north. That is going to take economic planning, not only in the free enterprise sector but also with government involvement. They have had 75 years in the Sudbury basin to do something beyond exploitation, and no one has seen fit to do it. We have tried everything, as the minister knows.

There have been federal grants to northern Ontario for small industry. In North Bay a whole series of companies opened up and shut their doors, from Levi jeans down. We have to do something with the material that is there. It is not a case of bringing material from southern Ontario, manufacturing it in northern Ontario and then sending it back south as a finished commodity. The minister and I both know that is too costly. There is no competitive advantage to doing it. That sort of suggestion, that sort of development is not going to help the north. We have to utilize what is in the north. My colleague said it; the minister scoffed at it, and called it Socialist hotchpotch, but we see it is not.

We have to take inventory of what is in the north and of what we are not producing. I have hoped the private sector would do it. The private sector failed and they had 75 years. That is the frustration. They have had time over the years to locate secondary industry related to the resources area. My colleague indicated that, aside from cutting, 60 per cent of the jobs created in the woods industry are in southern Ontario. There are reasons, but to reverse it the government has to get involved. It is no great Socialist plot. It says very simply that, if we are going to keep our young people in the north, there has to be a change in philosophy.

3:40 p.m.

In 75 years in Sudbury, the richest ore body in the world has not created jobs related beyond the extractive industry. I can never engage this minister by saying to him, "Okay, it has not." He simply says, "You are talking doom and gloom." It is not doom and gloom. We have been extracting nickel

for almost 100 years, going back to just before the turn of the century, and no one has started an industry related to it. We cannot go on forever hoping that someone is going to do something. They have had the time. I see the former minister of mines here as well. He has an area that is exploited, as the minister's is and as mine is.

If the private sector was going to do something, it has had eons to do it. If we talk about government involvement, it is because the private sector has deigned not to come there. We have an option. We can have the minister's option, which is to continue to allow it to happen and which is mere exploitation. I am not saying we should not exploit the resources—we have to—but it is what we do with them after we have exploited them. To continue to ship them out is to continue to ship our kids out, nearly every last one of them unless they are in a profession or they work in the mines, and the minister and I know they do not even want to work in the mines.

I know they held a big conference in Sudbury recently about why youngsters do not want to work in the mines. Would the minister? Would he work in a mine such as the small iron mine in Capreol which has another 25 years of life expectancy? They made \$6 million the year they closed and almost that the year before, but they will not put in \$2.5 million to do the appropriate screening to bring the dust count down and improve the Q factor.

Would the minister go into mining knowing that tomorrow his home and his investment will not be worth a cent? We are still trying to sell 50 or 60 homes in Capreol two years later. The effects on that municipality have been devastating. We built a new arena and we added a subdivision less than a year prior to the mine's closing, because they wanted workers. And who is paying for it? We are. They just packed their bongo balls and went home.

When we talk about that sort of thing, why would a young man or woman go into mining? Government is the only answer. It is not some great Socialist plot. I was in Kapuskasing recently. I drove through Moonbeam and I went to see the Provincial Secretary for Resources Development (Mr. Brunelle). I called on him but he was not home. He knows it.

What have we done beyond pulp and paper in northern Ontario? Where are the factories producing the furniture? We have a deficit of 400 per cent annually. We take



the wood from here, ship it to Taiwan and it comes back as furniture. What is wrong with a system where there is government involvement because no one else is going to do it? Surely the rape of the north has to terminate. Surely we have to have jobs for our young people. Surely we cannot have the type of economy where there are very young and very elderly, because the elderly have the tax burden and the young are too young to pay taxes.

The minister has done nothing. He has helped to find more minerals, he has helped to exploit them and he has helped to cut more trees, but it is beyond that step that this government has refused to get seriously involved. It is not just a case of grants; it is a case of sound economic planning which says in Hearst, if it is having a rough time, instead of importing 90 per cent of our hockey sticks, much of them from Finland which has an economy equivalent to ours, we are going to produce some there. We will assist someone or we will do it ourselves as a last measure, but we are going to have jobs for young people.

We move to furniture and we say, rather than have a deficit every year of 400 per cent on furniture, we are going to try, by bringing businessmen together, to entice them to locate plants in the north. It is not enough to purely exploit any longer, and that is how this government has to change. It talks about us having tunnel vision; what about the tunnel vision of free enterprisers simply looking through their tube at a buck, or of this government saying it has to be left solely to free enterprise? What has it done for the appropriate development of northern Ontario? It really has not done much.

History will record that this Tory government, after 37 years, had tunnel vision with respect to secondary industry in northern Ontario. They stand condemned because, as a result of that, we do not have adequate health services compared to what the south has. In the municipalities, we do not even have the hardware services.

I was in Hudson this summer and when I dropped in to see the minister, he was away.

**Hon. Mr. Bernier:** Working.

**Mr. Martel:** I was working too; I was up there doing a survey, because I wanted to find out what was in Hudson. I am not being critical; the minister knows. It is desparate; those people need the types of services that are commonplace in southern Ontario. There is no tax base, and the minister and I both know that. Three of us were on the com-

mittee when we first looked at Bill 62 on unorganized communities many years ago.

We still do not have a tax base sufficient to provide even the hardware and, although we have moved ahead with a bill that went through here a year ago—I do not care if the government brings in 50 bills—things will not change until there is an adequate tax base. Those people work in those industries to meet the needs of the industries, because without them the industries could not function. There is so little in tax that they had difficulty until recently even getting a light bulb, and they still do, because there is an inadequate base to provide the hardware.

It is just a legacy. We can look at health; we can look at municipal services; we can look at secondary industry; we can look at tax; and what do we have? Not very much. We stand up here and implore the government to start to look to secondary industry utilizing the resources that are there and to look to mining equipment, which has a trade deficit of more than \$1 billion annually.

We are the third largest producer of mineral wealth in the world and we are the largest consumer of imported mineral equipment. Does that not say something for us and about what is lacking? In the examples I gave, whether involving hockey sticks or anything related to the forest industry, or whether involving furniture or mining equipment, those operations will not occur on their own. It does not necessarily mean that governments have to start the operations. It means governments have to bring pools of people and cash together. There is the expertise in the work force up there to do this sort of thing.

I say to the minister, as I prepare to depart, it is his responsibility to make it happen; he is the Minister of Northern Affairs. We have to go beyond what we have done, and in a much more forceful fashion, to ensure that our people have work and that we can help to develop some of the native people's communities appropriately so they can live with dignity and have jobs. But the way we have gone for 65 years does not do it.

3:50 p.m.

Whether or not the minister likes it, we have to do something else. It might mean infringing a little. It might mean talking a little tougher. But further exploitation of the resources without any related industry to it has to stop. The last grant the ministry gave last year was a disgrace. To allow Falconbridge to write off its cost of production in

Norway against its Ontario tax base is crazy. If I were management at Falconbridge, why would I ever consider a refinery in northern Ontario when I can have one in Norway and I can write off those costs against the Ontario tax? Why, in God's name, would I even consider locating anything in northern Ontario or in Ontario?

That sort of proposal, which this minister used to espouse when he was in northern Ontario, is in the final analysis the death knell to northern Ontario and northern development. It has to change. I am hopeful that even he will see it is not bringing anything to the north, and that we will cancel some of those silly tax breaks that see refining carried on abroad. As I say, to do less means that history will record that this government gave the store away and in its place received very little outside of a minuscule amount of tax and a few temporary jobs.

**Mr. Lane:** Mr. Chairman, I would like to take this opportunity to make a few remarks on this vote, not to find fault with the quality of service the ministry is providing but maybe to find a little fault with the quantity. Maybe we should have a little more quantity in some cases than we have at present.

The service offices across the north are doing a tremendous job. In my riding I am lucky, because I have three offices there. Two are manned by a man and one by a young lady, and they are all doing a great job. But as I travel farther north, where the distances get greater, I sometimes find the service officer is 100 miles or so away from people who need his or her service. I am wondering whether it would be possible to find finances so that maybe we could have some satellite offices and a few more bodies around to help those senior citizens fill in those tax credit forms and other things they seem to rely on the people who man the service offices to do for them. I think it is good that they do.

The other thing I would like to mention is the need for the Ministry of Northern Affairs to be a data bank for the government of Ontario as far as information relating to the north is concerned. I see so many programs in which various ministries are involved in the north taking far too long to mature. They should rely on the ministry for a great deal of the information we already have, and with a few more service offices across the north we could have the rest on file.

I think a lot of programs the government would like to carry out could be speeded up

a bit if they would just rely on the Ministry of Northern Affairs for information rather than getting it themselves. We have people following each other around at quite a high cost today with the cost of travelling. I think it could be eliminated. We have a greater role to perform in that area than the one we are currently performing. However, I think members from all sides of the House would agree that over the three years the ministry has been around we have done tremendous things for northern Ontario.

I was amazed when I heard the Leader of the Opposition (Mr. S. Smith) indicate that if he were the Premier of this province he would get rid of the Ministry of Northern Affairs. I can recall when I was promoting it, one of the first supporters I had was the member for Rainy River (Mr. T. P. Reid). He said it was a vehicle we needed.

**Mr. T. P. Reid:** He meant we should get rid of the present minister.

**Mr. Lane:** Yet I remember the day the Premier advised the House that Bill 21 was going to be introduced. It is in Hansard, on page 274, for April 7, 1977. The Leader of the Opposition says, "What about a ministry of southern affairs?" That goes to show how little he knows about the problems in the north. Now he is saying that, if he were the Premier, he would abolish the Ministry of Northern Affairs.

**Mr. T. P. Reid:** On a point of privilege, Mr. Chairman: Since the member obviously intends to keep pounding on that drum, I think the record should be corrected. I spoke to the Leader of the Opposition. He did not say he would do away with the Ministry of Northern Affairs. His comment was that it was unfortunate the other government ministries have not responded to northern Ontario in the past and that the government itself felt it necessary to set up a ministry to pressure the other ministries to take cognizance of northern Ontario. He did not, at any time—according to him and other people who were there—say he would do away with the Ministry of Northern Affairs.

He may have indicated he would do away with the present minister, but that goes without saying.

**Hon. Mr. Bernier:** You should not do the apologizing for him.

**Mr. T. P. Reid:** The Minister of Northern Affairs will be very sensitive to the fact that a comment was taken out of context or a headline was put on a story that was untrue and misleading. That very Minister of North-



ern Affairs was quoted in his own local paper—one would think the minister owns it, they are usually so good to him there—he was quoted as saying, “We should accept nuclear waste in northern Ontario.”

The minister got up in the House last week and said that was not what he said. We accepted that he did not say that. The minister may not be the smartest man in the Legislature, but he is not that stupid to say something like that. I would hope the member who has just spoken would accept my explanation of what was said by the Leader of the Opposition, that he did not say he would do away with the Ministry of Northern Affairs.

**Mr. Chairman:** I think we are stretching the point of privilege here a little. The member for Algoma, very briefly, if I perceive it as a point of privilege.

**Mr. Wildman:** Mr. Chairman, in relation to the comments made by the member for Rainy River, the statement the member for Algoma-Manitoulin referred to was widely quoted in the press in northern Ontario.

When I raised it during discussion of the estimates of the Ministry of Industry and Tourism, in the standing committee on resources development, the colleagues of the member for Rainy River who were present in the committee did not deny it. As a matter of fact, they supported it and argued that the Ministry of Industry and Tourism should be doing what this ministry is supposed to be doing in northern Ontario.

I would hope the member could prevail upon his leader to come before the Legislature stating publicly what he did say so that his position and the position of the other members of the Liberal Party could be clarified.

**Mr. Lane:** Mr. Chairman, I did not intend to cause any excitement across the way when I made those comments. Certainly I am personally prepared to accept the statement of my friend the member for Rainy River. The minister may have something further to say on that later.

I point out to my friend the member for Algoma that his party's hands are not altogether clean either as far as this ministry is concerned. I can recall here in this House, on April 5, 1976, the then leader of the NDP, Mr. Lewis, heckling me as I was making one of my biannual statements in the House regarding the need for a Ministry of Northern Affairs. I said to him at that time, I could not understand why it was we had

not heard more about the Department of Northern Saskatchewan. That ministry was established by an NDP government. Mr. Lewis replied: “Yes, but there are a million people involved.” I might add there are a million people in northern Ontario too.

4 p.m.

I replied to him that I had the report and commenced to read the report from the Department of Northern Saskatchewan. He said many new and innovative programs had been implemented and improvements had been made to existing ones. Advancement was far beyond any level previously contemplated in the north. Now I find out that that ministry which was doing so well way back there in 1976 has decided to pattern itself after our Ministry of Northern Affairs. That speaks for itself. It just goes to show that, as usual, the government is right and the members opposite are wrong most of the time.

**Mr. T. P. Reid:** Mr. Chairman, can we speak about any of the items under this vote, —or are we going in order?

**The Deputy Chairman:** Under the main office vote we have been giving wide range.

**Mr. T. P. Reid:** I have a number of questions to ask the minister. No doubt as usual it will come as a bit of a shock to him and his officials, because I want to talk about the actual money that is in these votes.

**The Deputy Chairman:** On actual money, the minister may wish to have his officials before him.

**Mr. T. P. Reid:** That was what I was going to suggest.

**The Deputy Chairman:** We will leave it up to the minister to decide.

**Mr. T. P. Reid:** First of all, I notice that under the 1978-79 estimates, under main office the estimate was \$852,000. Under the 1979-80 estimates, it is \$1,149,000. Salaries and wages are the largest component of that figure. I wonder if the minister can tell us particularly how the salaries and wages break down, how many people are involved and what exactly they do in the ministry.

We have been through this before, and I will not extend it unduly, but it seems to me we have a Ministry of Northern Affairs, a Ministry of Natural Resources and a Provincial Secretariat for Resources Development, all of which are doing relatively the same thing—when we can figure out what some of them are doing. I should amend that to say they say they are doing the same

thing. All three ministries are resident in Toronto with the exception of the minister's assistant deputy minister who is in Kenora. I would like to know how many of those people who are drawing salaries totalling \$684,000 are in the minister's office and what their classifications and salary levels are. That is the first question I would like to put. Perhaps the minister has that information in his briefing book.

The second question I would like to relate to concerns analysis and planning, which is \$323,000. I would like to know specifically what analysis and planning is going on in the head office; what exactly the projects are or the areas that are undergoing this analysis and planning and what the procedures are for that; who is in charge of that particular function and who is involved in it; how many people, their names and their titles.

**Hon. Mr. Bernier:** Mr. Chairman, if I may respond, I have a very lengthy response with regard to the other members who did put some questions.

**Mr. T. P. Reid:** I am not finished with my remarks on this first vote, but perhaps the minister would like to respond to those questions.

**Hon. Mr. Bernier:** It will be some considerable time, if the member would like to go on.

**Mr. T. P. Reid:** I can make some other remarks as well then.

**The Deputy Chairman:** Are the member's questions still on vote 701?

**Mr. T. P. Reid:** Yes, they are, Mr. Chairman. They relate to head office activity. I should point out, with no buts involved but perhaps some qualifications, that on Friday last the Minister of Northern Affairs, the Minister of Transportation and Communications (Mr. Snow) and myself, along with Mr. Charlton, the assistant deputy minister, and others, were at a road opening; it is pretty well all, I might add, in the Rainy River riding. It was the opening of the new road between Fort Frances and Dryden. The minister is no doubt aware that the road is totally in my riding, because I take in all the area south, east and west of Dryden where the road runs, and, of course, I have Fort Frances in my riding.

It was a gala occasion. I am not sure that more effort did not go into the opening than into the actual construction of the road. We opened the road at least three times and perhaps more after I left. But it is going to be of benefit to the people in northwestern Ontario generally. It is going to

provide much easier access for people in Dryden, Sioux Lookout, Wabigoon, Barclay and so on to get to Fort Frances and vice versa. It is going to have, I believe, a great effect on commerce in the area. It is going to have a great effect on the social intercourse, as I have said, with people travelling back and forth. It will improve the school competition in our area, and it will have a very great effect on tourism as well.

I said at the opening, and I did not mean to inject a discouraging word into the otherwise optimistic day we were having, that any road anywhere, but particularly in northern Ontario, brings with it its own set of problems. That particular road goes through a very environmentally sensitive area in terms of the geography of the area, in regard to the timber and in regard to the lakes in the area and in terms of its effect on fish and game. My concern and that of others is that road may very well wind up, if we do not control it carefully, having a wasteland, a desert, on both sides of it extending from the Fort Frances cutoff right up to Dryden. There are some very environmentally sensitive lakes, for instance, in regard to the lake trout population.

The easier access allows a great many fishermen and hunters into this area. It allows our nonresident friends, particularly from the United States, a vast area to hunt and fish. These people have not been controlled in the past and they probably impose a heavier burden on the area than almost anybody else because they are avid fishermen and hunters. Under this present government, they are not restricted as to where they go. They can bring their camper-trailers, and they can get to these lakes and fish and hunt to their hearts' content with only the purchase of a fishing or hunting licence. They are not to blame for all the problems but, if we do not do something about controlling these areas, it is going to wipe out the fishing and hunting. I think the minister should be aware of that. He has a responsibility to ensure that as little as possible of the environment is affected by the road. So I leave that with him.

I would express one other concern that has been put to me by people, particularly on Manitou Lake. I could not help but notice that the brochure provided at the opening talked about the Manitou Road. The people in the area do not wish to have the road referred to as the Manitou Road, because that is going to attract a lot of hunters and fishermen who are going to be and already



have been all over the place. We are trying to keep it as much a wilderness as possible. I pass on to the minister that I think the road should be signed as Highway 594, is it?

**Hon. Mr. Bernier:** Highway 502.

**Mr. T. P. Reid:** Sorry; 502. If he is going to advertise this road as a large tourist attraction, he should have in place controls on the pork-and-beaners—let's face it; that's what we call them—before he goes out and has a full-scale advertising program to promote the road.

**4:10 p.m.**

That is one item. The other item—I won't speak at great length about it, because I know what the minister's answer is; we went through this in the estimates last year—is the Rainy River district land clearing and drainage program.

The minister and his compatriot the Minister of Agriculture and Food (Mr. Henderson) told me as recently as a week ago that this program, which was first put to them in 1977 and for which we have not seen anything concrete in terms of a program policy and the money to back it up, is waiting on the signing of the Department of Regional Economic Expansion agreement in Ottawa, and that money freed up or made available through the northern DREE agreement will be made available for this land clearing and drainage program in the Rainy River district, at least for a fairly major pilot project if we cannot get everything we would ask for.

I have spoken to John Reid, MP, about this matter. He is working on it from that end. I do not know why the Minister of Regional Economic Expansion has not signed the agreement. The Minister of Agriculture and Food has indicated to me that, within two months of the signing of that DREE agreement, there will be a policy and a program available for this land clearing and drainage which, as I say, was a product of local initiative and was started more than three years ago. Yet there has been a lot of foot dragging and a lot of confusion, and I have a lot of concern about the minister or his ministry and the other ministries that are supposed to be co-ordinating with him in programs of this kind. It seems to me that the ministry should be prepared to go ahead with their own program if the federal government does not move pretty soon.

I note in the estimates that there is \$900,000 for agricultural development, presumably for all of northern Ontario. This is a drop in the bucket when one looks at all of

northern Ontario. There is great opportunity, great potential for agriculture in northern Ontario, particularly in the area I represent.

It is perhaps a coincidence that last Friday morning I had some young people from around London in southern Ontario come to see me in my office; they were interested in purchasing land in northern Ontario, particularly in the Rainy River district, because the land down here was too expensive for them to buy.

There has been great interest shown in our area by people in southern Ontario. There has been great interest shown by non-residents as well. Apparently somebody from Germany recently was prepared to spend upwards of \$1 million and has brought two or three farms in the west end of the district. That particular individual, I understand, is going to become a landed immigrant and not an absentee landlord, but foreign ownership is a problem that concerns us up there.

If we could get this program in place, we could free up—and the estimates vary—a minimum of 100,000 acres that are now covered by trees or that need drainage.

**Hon. Mr. Bernier:** It's all peat.

**Mr. T. P. Reid:** Some of it is peat as well, but a land clearing and draining program would provide thousands of acres that could be used for young people who wish to get into farming and expand the agricultural base of the Rainy River district. It is going to happen. The local people had this initiative, they prepared a number of briefs and there have been numerous studies, and it seems to me that kind of initiative and enterprise on their part should be rewarded and not stifled. They are frustrated.

I am sure the minister knows they threatened at one point to come down and picket the opening of Ontario North Now at Ontario Place. I wish they had. I wish they had seen what the minister built there, but that is another story. They are frustrated because it has been more than three years now and it seems to me that the minister particularly, because of his responsibilities and that great speech he makes about being a spokesman for northern Ontario, should be there with the policy and everything in place and say, "Look, we are prepared to do this."

The minister nods that they are. We have waited for three years; so he will pardon us if we are getting a little impatient. I presume in his remarks to me he is going to lay the whole thing out. Is he?

**Hon. Mr. Bernier:** You do not even know what I am saying. I am saying to get your brother off his butt.

**Mr. T. P. Reid:** That is not the way I read the minister's lips. I will not go into it as extensively as I did last year, but I hope the minister will have some comments.

With regard to analysis and planning, we are faced with a number of problems that are simple; the solutions are difficult and complex. One thing that bothers me about this ministry and about the Provincial Secretariat for Resources Development is the fact that there does not seem to be any grappling with those problems; there does not seem to be any priority given to them. I will be interested to hear the minister say what his analysis and planning branch is doing.

We had a shutdown in Atikokan, and I will give the government credit for doing a few things. I do not think there is any doubt that the Ontario Hydro plant is there because of the difficulties of that town.

For years I have been making this speech to the Ministry of Labour, to this ministry and to the Provincial Secretariat for Resources Development. There has to be some kind of analysis and looking at one-industry towns specifically. It should also be done in the context of automation and mechanization, because the government has embarked on grants to the pulp and paper towns, for instance. Let us not kid ourselves: If we are spending \$100 million on machinery, we are going to wind up displacing jobs. People are going to be out of jobs and those jobs are not going to be there.

We may have an initial flurry of contractors, labourers, millwrights and so on for a couple of years, all that sort of thing while the plants or machines are being rebuilt, but the bottom line as far as those communities and the workers in them are concerned is that there are going to be fewer jobs at the end of it for them and their families. It is a problem we have to deal with, and we should be up front in spelling out just how many jobs are going to be lost and what these communities can expect. Those three ministries should be tying together some kind of coherent program for one-industry towns.

As I say, the problems are simple but the solutions are complex. We know what the problems are; we know the problems of underserved areas in terms of lack of medical and educational facilities so that we cannot attract the industries we would like to have in northern Ontario. Obviously one of the largest problems is transportation

costs in and out of the area. These problems have been dealt with in a piecemeal fashion. It does not seem to me that there is any co-ordinated approach or attack on them.

I was very interested to read the report of the Northwestern Ontario Associated Chambers of Commerce, a body that was set up in relationship to the minister and the north-west chamber to look at specific regions and problems and how to deal with them. I was quite impressed with a couple of things they came up with, particularly the matter of machine parts for mills and mines which to a large extent, are all imported. They have not looked at this superficially, but they have come up with some specifics on the types of things that could be done with a little assistance from the government in terms of supplying the equipment replacement and machinery parts that are used, particularly in the mines and forestry industry. They were very specific about that.

4:20 p.m.

It seems to me this is where we have gone wrong all these years. We have all kinds of studies that look at things in the broadest of terms but without any specific projects such as suggested by the northwestern chamber in regard to this kind of specific area. That is the kind of thing I am interested in—the minister telling me about what plans he has for providing assistance by way of grants, loans or whatever and technical advice from his ministry or some other section of the government so that some of these things can become a reality.

I am an incurable optimist, but we face grim times in northern Ontario in the next few years. I have gone through it myself in Atikokan where I was raised. When you fly in or drive in there and see those big holes without the trucks winding up those roads and see the plant shut down, it is disturbing. It is disturbing that people who have spent a good part of their life there no longer have a job to go to. And we are going to see more of that in northern Ontario. We are going to see that in regard to the pulp and paper and lumber industries as they become exceedingly more mechanized and automated.

I recall when Boise Cascade was preparing to build a kraft mill in Fort Frances. They took myself and some of the town fathers down to De Ridder, Louisiana, and it was disturbing to see the setup they had there. They had a mill about three blocks long, and they had eight people running that mill. It was completely mechanized, completely automated. Somebody pushed a button; the



wood went in one end and came out paper the other. The people were there only to make sure that if something went wrong they could shut down the machines so they would not blow up.

The other disturbing thing down there was that they are growing trees on a 40- to 45-year cycle. They just drive off their high-ways and they are planted there like corn fields so they do not have the expense of going literally hundreds of miles into the bush to haul wood all the way back to the mill. Their raw material product is cheaper and their automation gives them a leg up on us in terms of competition.

We are facing problems, and I would like to hear from the minister what he intends to do about them. I want to hear what he intends to do about the one-industry-town syndrome and all the ramifications of that. I am interested that we have a select committee on plant shutdowns and employee adjustment. It is annoying and sad that when Steep Rock, Caland and Capreol shut down, there was not this hue and cry. As usual, it is a matter of impact; as these things grow, enough people get disturbed and the pressure mounts.

We have had these problems in northern Ontario for some time, and I realize there is no easy solution. I, and I think the people I represent, would like to know that somebody is at least working on the problems so there may be some solution at the end of it. The problem is, we have been studied to death in northern Ontario. My God, we could fill this Legislative Building with all the reports that have been done on northern Ontario, but we cannot fill the room with many of the solutions that have been arrived at.

I think it is going to require a lot of co-operation with this government and with the federal government as well. They too have a large stake in this and a responsibility.

I will end there for now, Mr. Chairman, but I will have other things to say.

**Mr. Wildman:** Mr. Chairman, I would like some direction. I have a number of matters I would like to raise under this vote but, if the minister prefers to reply to the former speakers now and me to go on after him, I am willing to yield him the floor and come back to it later.

**Hon. Mr. Bernier:** Yes, Mr. Chairman, I have a number of responses to questions that were asked.

**The Deputy Chairman:** If you will proceed with those then, we will try to get to the

itemized votes in the manner we should be doing.

**Hon. Mr. Bernier:** I will respond first to the member for Nipissing (Mr. Bolan) who, during the last course of our debate, filed a number of questions. There was one in particular dealing with the Ontario home renewal program grants in the unorganized areas of North Bay and Sturgeon Falls. He asked me to get the specific number of applications and the number that were approved. I regret he is not with us today, but I am sure he will be able to read the response in Hansard.

In 1979-80, North Bay submitted 16 applications under OHRP and 16 were approved. Sturgeon Falls submitted 18 applications; 16 were approved and two were refused. I think that is an excellent record for that particular program. I know the member is very supportive of that program as are all of us who live in northern Ontario. In fact, he has made it clear he would like to see that vote expanded considerably under the Ministry of Housing.

I want to say for the record that the northern affairs officers throughout northern Ontario act as a clearing house for OHRP, particularly in those areas that are not serviced by and do not have a representative from the Ministry of Housing. Our relationship with the Ministry of Housing is exceptionally good, and the co-operation we are getting from it is very gratifying. It reflects the number of approvals that have been received for those applications in the North Bay and Sturgeon Falls areas.

The member also questioned the transactions of the northern affairs officers, asking how they arrive at a number, how they tally the number of transactions that are recorded on a day-to-day basis, a monthly basis and, hence, on an annual basis. The transactions are very simple. If there is a personal visit, or if there is an inquiry by telephone or correspondence, that in essence would result in a transaction. However, I would point out, as I just mentioned, in OHRP there may be as many as 10 or 12 phone calls or various actions with respect to a specific application, but they are recorded as only one transaction.

To give an idea of the transactions in the North Bay and Sturgeon Falls areas, from April 1979 until March 1980, during 250 working days the North Bay office recorded 10,026 transactions, or an average of about 40 per day. Sturgeon Falls recorded 8,292 transactions, for an average of 33 per day

for that same period. From April 1, 1980, until September 1980, we have records for 125 working days. The North Bay office recorded 5,548 transactions, or an average of 44 transactions per day, which was up from the previous year. A similar occurrence has taken place in Sturgeon Falls, where we had 4,994 transactions, for an average of 40 per day. That gives members an idea of the number of transactions that have taken place through the northern affairs officers throughout the northwest.

I am particularly pleased to put those figures on the record, Mr. Chairman, because this is the tenth anniversary of the northern affairs officers. We will be recognizing that event in a formal way in Sault Ste. Marie on November 18.

**Mr. Haggerty:** Will we all get an invitation to it?

**Hon. Mr. Bernier:** If the member is in the area, I would love to have him around. It would be good to have the members who are interested in the work that those excellent people are doing on behalf of all the constituents of northern Ontario. If the member is in the area, I hope he will be my guest, because it is going to be a very pleasant occasion.

4:30 p.m.

I am sorry the member for Sudbury East (Mr. Martel) is not with us. As you know, he made some remarks concerning the economic development of northern Ontario. He went to some length relating and reciting his theory as to how we should deal with single industry communities; how we should have a strategy; some long-term economic planning. I think we have heard that speech for 12 or 13 years in the Legislature. I will give the member some credit. His rhetoric is much better. The flow of his arguments is much smoother. His theatrical presentation is much better than it was some time ago. So I have gathered he has made the speech time and time again.

I am building up to pointing out there are certain weaknesses to the honourable member's argument, weaknesses of which he knows and is very sensitive about. Of course, when I mentioned his involvement in the 2001 exercise, he became very exercised himself, to say the least, because he knows full well this government reacted to a response of that entire community.

The entire community of Sudbury gathered together at the height of some very serious problems when it was obvious the commun-

ity would lose a large number of jobs in the Inco operation—something like 2,400. There was a declining nickel market. There were some changes in their operation. A strike was bothering them. It really brought the city of Sudbury to its knees. They had a very exciting conference—

**Mr. Wildman:** You are really saying there is no solution.

**Hon. Mr. Bernier:** I am just getting to that point. The city of Sudbury with all these very interested people—I compliment that community—brought people together who had, up to this time, never really sat down as a group to look at their community and how they could diversify the economic base of Sudbury, which everybody wanted to see happen. From the university president down through all the provincial members, to the federal members, to the community, to media people, people from all walks of life—were involved in that conference.

A number of suggestions and recommendations flowed from that conference. The Premier (Mr. Davis) himself went to Sudbury. I was pleased to be able to introduce the Premier that night to that very large gathering. He spoke at some length about the desire of this government to do everything possible to protect those jobs and to diversify the economy. We responded that night to their request for a \$600,000 grant, not to provide a scapegoat or some mechanism for the 2,400 jobs that may have been lost. The members of the community wanted an opportunity to look at their community themselves. They wanted to diversify.

I should read into the record the terms of reference of that particular group: "The purpose of the organization was to create economic activity and economic diversification of business and industry in the regional municipality of Sudbury."

The local people put that together. They had very large and broad committees made up of people from all walks of life in the Sudbury area. They even had the member for Sudbury East, the member for Sudbury (Mr. Germa) and the member for Nickel Belt (Mr. Laughren) as part of the executive committee. The point I am trying to make, in a very small way, is that we had three members of this Legislature taking part in an effort to diversify the economy of their area.

We did bring people and money together. We gave them \$600,000 with literally no strings attached. They could do what they wanted. They had the opportunity to do



something in Sudbury that possibly we could expand right across northern Ontario because we were all watching, and they knew we were all watching because we said it is basically a pilot project.

Here were the people with the initiative and desire. They were creative and imaginative and they had people with responsibility, including the three members from Sudbury. I think the federal members were on that committee too. We remember the great Mr. Rodriguez. He would stand up in the House of Commons and recite exactly the same speech the member for Sudbury East did today. Rodriguez would do exactly the same thing. Here they had an opportunity to do something in a small way, exactly what they have been trying to do and what this government has been trying to do.

We know what happened to that committee. The member said it was a joke and he was appalled at what happened. Even though he was a member of that executive committee, he sloughs off the responsibility as to where and what happened to the funds and the exercise they had in goats and a few other things.

I have not lost faith totally in that committee. I have to say that. I think the nucleus is there and it can be pulled up. The city of Sudbury has to be given some credit for the effort. I think it is on the right track. Sure, there were weaknesses.

**Mr. Wildman:** The minister is trying to say two things at once.

**Hon. Mr. Bernier:** Yes, I am. I am trying to point out that those members who sit opposite me were on that committee and had the opportunity to do something, which they are saying this government should do, and they failed to do it because they said they could not be there because the meetings were held on Monday nights and so, therefore, it was not their responsibility. I do not think a member of that executive committee, a member who holds a seat in this Legislature, can slough off that responsibility that lightly.

I want to put it on the record that there is a responsibility there. When one accepts a position on the executive committee of such a group, then I think one has a responsibility to follow through and not slough off the responsibility or any weaknesses or problems on to those people who are left back home. I think that is a very weak-kneed approach and is abdicating responsibility.

There is still a very positive attitude in Sudbury. I have in my hand a copy of the

Financial Post, dated October 11, 1980. The headline reads, "The New Sudbury, Ontario's Best-Kept Secret." I am going to make sure the members from Sudbury get a copy of this article. It is a very interesting one, eight pages in length, all talking about a new and exciting Sudbury.

The member has condemned me for saying that the members opposite in the third party continually talk about doom and gloom. I say that because that is the way it affects me and it must affect people in Sudbury when they hear their members condemning their community.

**Mr. Wildman:** They are not condemning their community.

**Hon. Mr. Bernier:** They are. You heard the member.

**Mr. Warner:** I heard him very clearly. Stop twisting words.

**Hon. Mr. Bernier:** You heard him say all we are doing is extracting the ore of Falconbridge and Inco. We are exploiting the resource. That is what he said. He said that is all we have in Sudbury.

Let me read some of the comments in this paper. It is very exciting. I will get each of the members a copy if they like, because it points out the feeling of Sudbury today, a positive feeling and a growing feeling. I would encourage members to read the article in this very interesting paper. There are great pictures in it too.

**Mr. Haggerty:** You know what happened to the federal member who preached doom and gloom.

**Hon. Mr. Bernier:** Yes, exactly right. That is the point I am trying to get across to these members in order to change their attitude with respect to their communities and northern Ontario. Start talking positively and things will happen. It must be happening because this paper said so. "There is a new and exciting Sudbury." On page two, it says, "People, Sudbury's Greatest Asset." The statistics here are just astounding. They talk about all kinds of things. "Mining, the Lifeblood of Sudbury." Here is a nice headline on the fourth page: "New Jobs on the Way." Look at this headline: "Sudbury, the Science Centre."

4:40 p.m.

I will give the member for Sudbury East credit. He spoke of the laboratory facilities and the testing facilities at Laurentian University. I am glad he recognized that because it is really a fact. "College, Industry Work

Together." "Transport Connections Made Easy." "Sudbury, Ontario's Best-kept Secret." That's an interesting article. It's a full page in length and they refer to Sudbury as northeastern Ontario's headquarters. "Insurance Firm Takes on the Giants." Then, of course, the big ad here by the Sudbury Regional Development Corporation, "Join Sudbury's Growth." "Construction Booms," says a headline. "Laurentian University 20 Years Young."

Here's a good one right here; this is an excellent headline: "Sudbury Ships Food, Beer to the South." How about that? Things are happening; they are doing it. It says so right here in big bold print: "Sudbury Ships Food, Beer to the South." "Northeastern Ontario's Health Centre." There is real respect for the health services in the Sudbury area, and some social activities too: "Sudbury's Cultural Success Stories"; "Sports Activities for Everyone." In a special brochure, in a special edition of the Financial Post, where they point to all the positive things—

**Mr. Warner:** Did you print it yourself?

**Hon. Mr. Bernier:** It looked as if I did. Really, it is that good. I couldn't have done a better job. I am going to make sure the members from Sudbury receive a copy of this. I know they will want to digest it and I know they will want to be good ambassadors not only for the city of Sudbury, for which we all have a great deal of respect, but northern Ontario as a whole and want to get off this bandwagon or this hoopla of continually tearing down and trying to wreck northern Ontario.

It is becoming exceedingly disturbing. As the member for Algoma said when he talked about 2001, he said the way it was operated they literally pulled the wool over those members' eyes. I think that comment was right. I think that interjection was a good comment because they weren't doing their job in that particular area.

There is a very positive and bright future for northern Ontario. There is just no question about it. We will continue working as we have in the past in trying to come up with answers to these single-industry communities and it is certainly not easy. Before I get into that issue I want to put on the record, now that the member for Rainy River is back, the comments made by his leader with respect to the Ministry of Northern Affairs. I think it is only right. This is an excerpt from a tape of CBQ in Thunder Bay and it said:

"Ontario Liberal leader Stuart Smith says that if his party is elected he would phase out the Ministry of Northern Affairs. Dr. Smith says the ministry is a monument to the government's neglect of the north. The Liberal leader says northerners would be far better off if every ministry in the government were properly concerned about them.

"He says: 'That's the way a Liberal government would operate. I would hope that within two or three years every ministry would have it clearly understood that there has to be a particular group within that ministry, within every ministry of government, giving special attention to the needs of northern Ontario. Each minister would know he had better not present anything to cabinet which forgot the north. That's what you really need. Unfortunately, by having a special minister, in a sense you are given a sort of colonial status. I suppose it's better than being totally ignored as you were before, but frankly I would like to see it eventually made redundant.'"

That is clear and concise and positive and I say to the member for Rainy River he would do well for his party if he had the leader of his party retract that statement publicly and express an apology to this government for that type of irresponsible statement.

He made a statement, as the member for Rainy River knows, in the leadership race when he said, "I hope that I never have to come back to Sault Ste. Marie." Remember that statement? That came back to haunt him.

**Mr. T. P. Reid:** Like Elie Martel when he said, "Where the hell is Red Lake?"

**Mr. Ruston:** Davis doesn't know where Essex county is.

**Hon. Mr. Bernier:** I say to you in sincerity, this statement will come back to haunt the leader of the Liberal Party for some time to come. I would just like to correct the record because I know there will be a lot of people going over those records who will want to hear the facts as they were announced on that black day in northern Ontario, at least a black day for the Liberal Party.

**Mr. T. P. Reid:** He has a point. If everybody else did their job we wouldn't need a Ministry of Northern Affairs.

**Hon. Mr. Bernier:** Are you supporting the Liberal leader in the demise of this ministry?

**Mr. T. P. Reid:** If every minister did his job, you would be redundant.



**Hon. Mr. Bernier:** Answer my question.

**Mr. T. P. Reid:** I think if every minister did his job, this minister would be redundant.

**Hon. Mr. Bernier:** It is interesting that the former leader of the Liberal Party had a separate ministry for northern affairs as one of his party platforms. It was interesting that the great Bob Nixon—a gentleman I have a great deal of respect for, I did then and I still have today, because he was a great leader—said at that time that if he formed a government, he would have a ministry for northern Ontario. That was one of his party's platforms.

**Mr. Wildman:** He also said he supported the teachers' right to strike.

**Hon. Mr. Bernier:** The member for Rainy River talked about the Manitou Road. I was very interested in the member's comments with regard to the Manitou Road and the official opening that took place on Friday last. It was, as he said, a very gala event, one that saw the participation of the community of Fort Frances and the community of Dryden, along with two ministries of the government, the Ministry of Transportation and Communications and the Ministry of Northern Affairs.

I might say that was a joint official opening, because those communities shared in the cost of that official opening exercise, and it was one of excitement more of a historical nature, because here we saw a new connecting link connecting Fort Frances with Dryden. It is some 92 miles in length, a road that is completely built, completely paved, and signed. Even the centre line was in place when we drove over it on Friday.

In fact, one of the members whispered in my ear and said: "In the past we would have three official openings for such a road. Usually you would open it when the road was cleared; that would be an official opening. Then when you get the gravel down, that would be another official opening. Four or five years later after the road had been compacted and after the road was paved, you would have another official opening. But you have denied this to us now; we only have one official opening."

So I think we can take pride that we are making progress, and it is an exceptionally well-built highway. As the Minister of Transportation and Communications (Mr. Snow) pointed out, a large amount of the credit must go to his own engineering and design staff and, of course, the contractors. The contractors did an exceptional job and really

cranked up their construction program this year to meet what we had set as an arbitrary deadline for ourselves so that it would be completed this fall.

I might say there was some urgency for that. We felt if we could officially open the road this fall, we would get the benefit of the tourist publicity through the winter months and, of course, direct traffic flowing around that circle route which will see traffic coming up from Fort Frances to Dryden, over to Kenora, then down Highway 61 back to Fort Frances, an excellent extension for the Great River Road.

As you know, the Great River Road is that parkway that is being developed from New Orleans clean up to Kenora. Some 40 million people use the highway on an annual basis, so I think it makes good sense that the Lake of the Woods Parkway Commission has some influence and is able to funnel off some of that tremendous tourist traffic that flows north and south on both sides of the Mississippi River and bring it into Canada through the Fort Frances and the Rainy River areas.

I mentioned in Dryden during one of the brief ceremonies we had that my ministry was working very closely and very diligently with the Ministry of Industry and Tourism, along with the town itself and with Boise Cascade, to do something about the entrance into Canada right at the mill site. We think we have a plan. We have a certain amount of funds available through some ministries. We have the enthusiasm of the Boise Cascade people and the support of the present council.

4:50 p.m.

However, I do not know what is going to happen after November 10. I hope the new council will support our efforts to date because I can assure the House there is enthusiasm within the government to get on with the job of improving that entrance. We will certainly be moving on that.

**Mr. T. P. Reid:** What about the environment?

**Hon. Mr. Bernier:** I am pleased the member for Rainy River brought it up because I think it is a very important matter. He made reference to the sensitivity of the Lower and Upper Manitou Lake areas and he is quite right in pointing that out. There are a number of very sensitive trout lakes in that area, something that the Ministry of Natural Resources is very much aware of and very concerned about.

When that road was designed and the alignment was planned, the member will

note from that trip on Friday that it passed very few of the lakes. That was done intentionally to keep the travelling public away from those very sensitive lakes. I think people see only two or three lakes in 92 miles. They are very few in number. The thought and concern were there and the Ministry of Natural Resources has already approved an interim Manitou area land use plan.

It has been in place for some time, and at present I am told it calls for the development of one or two service centres where warranted. Otherwise, the whole area will be controlled by this plan until phase one of the MNR district land use plan is in place, which should be by the fall of 1981. So we are one step ahead of what has happened in the past. We have a plan, the sensitivity is recognized by the ministries of the government and the member's fears that we will damage the environment should be allayed. I share his concern, because I know the sensitivity of that particular area.

I do not know if I quite agree with the honourable member's comments with respect to naming the road the Manitou road. If I was operating a tourist camp in that area, I would welcome the mass publicity and the coverage in the media that road will bring to that specific area. With it will come extra business. I again realize it is a very sensitive area and they may be satisfied with the size of their operations now. If anybody who is already there wants to expand, he should be capitalizing on the name that has been given to that particular road.

The member mentioned the land clearing and drainage program. As he has heard from my assistant deputy minister, Mr. Charlton, we are working very closely with the Ministry of Agriculture and Food. We are anxiously awaiting the signing of the Ontario Department of Regional Economic Expansion agreement that will hopefully see some activity in the Rainy River area by the Ministry of Agriculture and Food, along with the Ministry of Northern Affairs and, indeed, the Ministry of Natural Resources to a point—I say “to a point” because many of the areas were bought up with Agricultural Rehabilitation and Development Administration funds and those areas have been planted for forestry, so there is some concern in the Ministry of Natural Resources about maintaining the reforestation program vis-à-vis the farming program. I think we can sort that out when funds become available.

I am particularly pleased that the member for Rainy River recognized our efforts in

co-operation with the Northwestern Ontario Associated Chambers of Commerce, whereby we will be establishing a number of task forces, only after the experts or the people in the respective communities and chambers, individually or collectively, have identified an area of concern, sat down and used their expertise to come forward with some positive recommendations and suggestions.

I resisted at some length the idea of establishing a development council to which we were subjected in previous years. With all due respect to Lackie Philips, who was the director at that time, he did a great job for northwestern Ontario. I guess he would be the industrial commissioner of northwestern Ontario.

I think in 1980, however, that is not the direction we wanted to move in. We wanted to be, as the member for Rainy River said, more specific. God knows, we have had enough studies; we have been studied to death in northern Ontario, so the suggestion from this particular group—and it was a special committee established by the northwest chamber headed by Keith Jobbin from Thunder Bay; I believe Larry Fontana from Atikokan was on that committee, as was Don Sanders from Sioux Lookout—

**Mr. T. P. Reid:** Bob Cousineau from Fort Frances.

**Hon. Mr. Bernier:** From Fort Frances, yes. There was someone from Kenora too, I think Marsh Marcino was the member from Kenora.

They spent well over a year looking at a number of different proposals, but I think the one they came forward with, with respect to the import substitution or mining equipment, really has nailed down the issue in that area. They are not going to study the issue further; they are going to the mining companies and saying, “What do you import?” be it lag screws, be it bolts or be it parts.

They are going to the university to get the design people and the draughtsmen to design plans and actually have the facts and figures before them to take to the private sector, to take to these fabricating companies and say: “Here, this is what is needed in northwestern Ontario with respect to the development of this industry; this is what they are using. You may not be able to build electric motors in northwestern Ontario, but surely you can develop lag screws and drift bolts and a certain type of piping and all types of items used in large quantities in the mining industry.”



The thrust is a positive one from which I hope we will see results very quickly. I might say the task force itself spent some considerable time looking at the question of tourism. It was obvious to me, and I know my assistant deputy minister, Mr. Charlton, shared my view, that it was such a large and complex issue the task force really hadn't got its arms around the specific problem. Each member of the committee had certain biases and leanings and ways, and it was difficult.

One group was interested in the promotion of tour packages; another individual was interested in destination sites; another one was interested in the development of more camping facilities and roadside park development. They were all going in different directions. They have decided to go back to the drawing board and get their own thoughts in order, then come back to us at a later date when we can establish another task force in co-operation with others who may be interested in the tourist industry in that part of northern Ontario.

The question of responding to single-industry communities is not a new one; it has been around for a number of years, as all members have pointed out. They have all pointed out that it is a difficult situation. It is very easy to sit here looking at one another and say, "Come up with the answers." There are no easy, simple solutions. Even the Premier has made that statement in answers to questions in the House during question period.

I had the pleasant opportunity of visiting Norway this fall and among a number of issues we discussed was that very issue. We were led to believe from discussions we had had here that Norway had the answer and had the solutions to the single-industry mining communities. They stated, in theory, they would love to diversify the economy of the small mining communities, knowing full well the nonrenewable resource would come to an end and they had to find job opportunities for the people who would remain. Their thrusts have been ongoing; their efforts have been ongoing; but they could not point to any real, positive solutions they could share with us.

5 p.m.

They are anxious to share them with us, or ask us what our responsibility and our reaction has been to some of our problems because it is obvious we had similar problems. We did not have any pat answers. We would deal with each community as it came forward.

Atikokan is a typical example. I think if we have made some headway in a single-industry community, at least in a mining community, it is in the lead ministry concept. I know the frustrations that the reeve of Atikokan had prior to the lead ministry concept being implemented. We accepted that challenge as a Ministry of Northern Affairs. I might say our staff has spent a considerable amount of time in Atikokan working with Atikokan and doing the leg work within the various provincial government departments.

I am pleased the member for Rainy River has recognized our efforts. They are not all glamorous results. I have to admit that. But at least there is a storefront operation. There is one point of contact, and we are giving answers to their questions.

I think the people of Atikokan have responded exceptionally well to the efforts of the local industrial commissioner. Certainly the reeve and council have. We all agree there is still a lot to be accomplished. It is no easy task to attract secondary industry to a northern community when there are something like 900 other municipalities in this province fighting for the same thing.

Listen to the various mayoralty candidates who stand up at their town hall meetings. The first thing they say is they are going to diversify the economy; they are going to attract secondary industry; they are going to do all these great things. They say that prior to November 10. Once they get into office and see the difficulty they have or the competition they have for those things, then they realize how complex the issue really is, as did the city of Sudbury find out when it established 2001.

They had that same thrust, that same concern, that same desire that all of us in this Legislature really have to diversify the economic base of every northern Ontario community, and not to rely totally on the exploitation of our resources but to broaden that exploitation and to utilize more resources locally to create more jobs, to create more economic activity and to build a better quality of life for all of us in northern Ontario.

The member for Rainy River wanted some information with respect to the main office and salaries. Are you interested in the salaries of the deputy minister and assistant deputy minister?

Mr. T. P. Reid: How many people are there?

**Hon. Mr. Bernier:** If you want to keep a tally, we have 29 in the main office vote. That includes the deputy minister, his secretary and executive assistant; two assistant deputy ministers, four executive assistants; executive director and secretary, and administration and support staff totalling eight. The minister's office has three permanent secretaries, plus five on contract. The parliamentary assistant has two on contract. That is supposed to total 29.

**Mr. T. P. Reid:** What are the salary ranges?

**Hon. Mr. Bernier:** The deputy minister's salary is \$61,000; the assistant deputy minister, \$53,000; the secretary to the deputy minister, \$18,700; personnel administrator, \$28,375; personnel administrator, \$24,475.

**Mr. T. P. Reid:** The number is up over last year.

**Hon. Mr. Bernier:** No. There has been no increase in the total number on staff. Perhaps the member could ask me some specifics.

**Mr. T. P. Reid:** Mr. Chairman, there is an indication that is almost a 20 per cent increase in salary over the previous year. That strikes me as being a little much even for deputy ministers.

**Mr. Warner:** You are better off being the deputy than the Premier.

**Hon. Mr. Bernier:** Yes, that is right. Did you not know that before?

**Mr. Warner:** You guys are in charge; do something about it.

**Hon. Mr. Bernier:** The member for Rainy River also questioned the analysis and planning branch. The policy development branch is located right here in Toronto. The task of this branch is to provide a service to the ministry by ensuring that at all levels of the government's policy development and review activities the special problems and concerns of the north are properly considered before decisions are made.

This service is provided in concert with our regional offices and staff while in direct contact with northerners on a daily basis. Whether it be through the preparation of papers, commenting on proposed policy issues or through participation in interministerial review processes, it is essential that the Ministry of Northern Affairs maintain the capability to ensure the north's views are heard at Queen's Park. This has seven permanent people and one contract employee for a total of eight in Toronto.

As the member for Rainy River is aware, the Minister of Northern Affairs is a member of management board. He is also a member of the three cabinet committees: the cabinet committees on social development, justice and resources development. So we have an input into all aspects of the decision-making process within the government. Hence, there is a large amount of work that is involved to review all papers and to pass comment on the impact they will have on northern Ontario.

While this may be done in Toronto, I want to make it very clear that it is done only in conjunction and co-operation with input from the regional offices. We have a regional office headed by an assistant deputy minister in Kenora, and also an assistant deputy minister, Mr. Aiken, located in Sault Ste. Marie. They have branch offices in Sudbury and Thunder Bay. So the broad input of northerners is channeled through that system. Up until now, I think it is fair to say, it has been working exceptionally well.

**Mr. T. P. Reid:** Mr. Chairman, could I ask a couple of questions on that last aspect? If you take eight employees in the analysis and planning branch, that works out to about \$31,000 a person—and I presume a couple of those are secretaries. Can the minister give me a rundown on who the people are in that responsibility—what their titles are and what their salaries are—and whether or not they initiate anything?

The way the minister described the function, they were reacting to reports, studies or policies that were coming from elsewhere. I would like to know whether the minister has any specific initiatives they are working on, such as one-industry towns, diversifying the economy, transportation, and use of crown land.

While the minister or his people are digesting that—it seemed that something was a little strange—if you look at salaries and wages and employee benefits under analysis and planning, the employee benefits are about 16 per cent of the salaries and wages. I gather this is pretty well standard across our economy. But if you look at the main office, salaries and wages total \$684,000 and employee benefits \$103,000. That seems like an awful lot of money to be paying out in the main office although it comes roughly to the same 16 per cent. It seems like an awful lot of money. The percentage is the same but the amount of money, \$103,000 as compared to \$684,000, seems like an awful lot of money for employee fringe benefits.



5:10 p.m.

**Hon. Mr. Bernier:** Mr. Chairman, the honourable member wanted some names and titles of those people working in the analysis and planning branch. Mr. John Hoicka is the director of that particular branch. His salary is \$45,300. He has a secretary five, Julie Ruppel, whose salary is \$16,223. We have an economist statistician, Mr. Eddie Robertson, at \$42,650; an economist five, Ansel Garfin, at \$38,800; an economist four, Pam Bryant, at \$35,575; an economist three Dr. Fergal Nolan, at \$29,600, and general administrator Dorothy Templeton, at \$37,100. That makes up the total of seven. Paul Davoud is our air adviser. He is at a salary of \$22,400, which makes up the total of eight.

I would point out to the honourable member the breakdown of that \$329,000 figure this year and \$323,000 last year: salaries, \$247,000, which is about \$1,000 lower this year than last year; employee benefits, \$41,000, up \$1,000 over last year; transportation and communications, \$22,000; services, \$11,000, and supplies and equipment, \$8,000, for a total of \$329,000.

**Mr. T. P. Reid:** My first question is, would any of these people like to trade jobs with me?

**Mr. Ashe:** The lineup is back farther.

**Mr. T. P. Reid:** They certainly do well by themselves, or we do well by them. Could the minister explain their function a little more fully? He has explained to us that these very well paid people accept reports, liaise with the regional offices, co-ordinate things with the management board staff and the resources development secretariat staff—all things that most of us do every day for considerably less, but we will not go into that. My question really is, are they initiating anything; does the minister say to them, "Look at this problem"? Or are they in fact only reacting to things that are generated somewhere else, such as in resources development secretariat or in the Ministry of Natural Resources?

Could the minister provide a list of specifics they are doing such as the actual policies they are looking at or some of the reports they have done? It would be interesting to know what they are paid to do. I am sure the people under the gallery would probably in their heart of hearts say, "The taxpayers get their money out of these people; we are not sure about you." They are certainly well paid. I would like to know specifically what they are getting paid to do.

**Hon. Mr. Bernier:** Mr. Chairman, I think the honourable member has stated their responsibilities quite clearly. I would be glad to get him a list of all the various studies that have been going on. Many of them are initiated within the ministry itself and many we respond to as they flow through the system. I will make a commitment to get the member a list of those because it is quite lengthy and quite broad. It includes everything from communications to energy-saving devices, to windmills at a little town called Sultan. It goes through the whole gamut of issues and I will get those for him.

**Mr. T. P. Reid:** I would appreciate it.

Two things further: I won't get into my speech about educational television in the north, but perhaps the minister might like to tell us what great things he has done to ensure that northern and isolated communities are getting educational television which I always understood was to be done. We were setting up educational television to provide a service to those people and we are the last to get it. We keep getting nonsensical answers and responses from the minister who has direct responsibility on this. Perhaps this minister could tell us what his ministry is doing to ensure that people in the north are going to get ETV.

Very briefly, I would mention peat. I am very interested in the development of peat. In the Rainy River district we have large peat areas. I got this great blurb and all the stuff the Minister of Energy (Mr. Welch) sent out, but I did not see very much about the development of peat. We have a possibility of a peat plant in the Fort Frances-Atikokan area. I have written previously to the Minister of Energy and to Hydro, asking them if they would be able to use a product of this peat gasification in the Hydro plant at Atikokan. I wonder what this minister is doing in this regard. He also has some peat in his riding.

The other matter—and the minister has provoked me to some extent on this and I am going to give a speech that some have already heard before, but is one that is very near and dear to me—is in relation to what the minister calls the Manitou Road or Highway 502 between Fort Frances and Dryden. The minister's response to me was that it is an environmentally sensitive area and he's concerned about it, but on the other hand he hopes it will increase tourism in the area.

The minister has heard me speak on this before when he was Minister of Natural Resources and had some responsibility for it.

The problem with the whole situation in northern Ontario as far as tourism goes is that we are giving the store away; we are giving away our natural resources of fish and wildlife, fish and game, to what we call the pork and beaners, nonresidents who come up and spend only the amount of money they need to go on a fishing or hunting licence. That is what we are afraid of particularly in the Manitou area. Unless we take action to restrict the use of crown land to nonresidents, they are going to fish and hunt that area out.

I remember being on the land use committee that passed the regulations saying that the roads would not go by any of these lakes that could be avoided. There would be no direct access to the Manitou, for instance, which is one of the best lake trout lakes left, but they can still get in there. The problem partly is the winter fishery on that lake. They can get in there with snowmobiles off that road much more easily now and they will kill that lake. The Ministry of Natural Resources has told me that they are not going to shut down the winter fishery this year on that lake. In another couple of years, they will have to. There will not be anything left.

I say this for the benefit also of the Provincial Secretary for Resources Development. This is something that really concerns me—and I would like to know if his analysis and policy branch is looking at it—that is, the use of crown land.

The minister talks about the tourist industry. I wonder if he would still be in the general dry goods business in Hudson if Safeway or Hudson's Bay came along and planted a store right next to his, free of charge, if there was no charge for any of the services provided by Bernier water and sewer company or anybody else.

**Hon. Mr. Bernier:** I have a water system, but not a sewer system.

**Mr. T. P. Reid:** We are killing the tourist industry, and we are killing the game and fish by allowing the unrestricted use of crown land by nonresidents. The essence of tourism is to pluck as many dollars out of the tourists as we can in such a way that they will enjoy their stay and come back. But what we have been doing for years is saying to them: "Come on in, the kitchen is open, the shelves are stocked full of fish and game. Pay a paltry sum for a fishing licence or a hunting licence and help yourself."

5:20 p.m.

I think anybody who goes into the tourist business in northern Ontario is nuts. They

can spend \$1 million. You can do that in Minaki Lodge. You can pump \$20 million in there and the people can go next door with their camper trailers and camp on crown land and they do not have to spend a nickle.

This is where the problem comes in with a lot of your programs. You are not dealing with one of the root causes. If you restricted nonresident tourists to a licensed tourist camp, a motel, a trailer park, a provincial park, then we can control them, we know where they are, we know what the numbers are. We do not have as many problems for the conservation officers because they can check them right at the establishment where they are staying. We are getting some revenue out of it. They are not parking in the bush wherever they feel like and getting what amounts to a free lunch out of the taxpayers of the province.

When is this policy going to end? When the minister was Minister of Natural Resources he will recall that one of the land-use committees I was on finally got a resolution passed to restrict crown land use. The minister was responsible, and after two years he did away with that program. He and his colleagues are embarked on selling us out and there is not going to be anything left for anybody, certainly not our children.

The Northern Ontario Tourist Outfitters Association has passed a resolution in this regard. Last week the Northwestern Camp Owners of Nestor Falls passed a similar resolution. The chamber has been on this. When are you going to act to protect the resources in northern Ontario? If you had done that there would be none of this talk right now about the problem with the Manitou for instance, because you would have regulations in place that could control the whole problem.

**Hon. Mr. Bernier:** Mr. Chairman, I would like to respond to the honourable member's comments with respect to television in northern Ontario. I think he recognizes that is one area I am particularly concerned about. Frustrated, I suppose, might be a more suitable word. I am frustrated at the lack of improvement of television services to many parts of northern Ontario.

My ministry has taken on this challenge. We have worked very closely with the Ministry of Transportation and Communications, with the Ontario Educational Communications Authority, with the Ministry of Culture and Recreation and the federal department in trying to come to grips with the situation as it relates to ETV. As the member is aware,



we have provided financial assistance to this group for an experimental program that is now going on in 43 different locations in northern Ontario. This has brought ETV to many of the underserved areas in the north. I think it was to end in February 1981. Discussions are moving ahead with that group and I feel certain the signals will continue well into 1982. At that time it is anticipated Anik C-2 will be operational to provide further signals on a permanent basis.

In addition to this, there was a Canadian Radio-television and Telecommunications Commission hearing held last year at Geraldton and my deputy minister, Mr. Herridge, made a presentation there on behalf of the Ministry of Northern Affairs. It was as strong as we could make it, and I am pleased to say that much of what he said at the Geraldton hearings has just been recently endorsed by the CRTC itself. We have made our input, but we are not satisfied with the thrust of the CRTC. I think if there is blame to be laid, it has to be laid at their doorstep. Thank God we had fellows like David Brough going around northern Ontario and providing—

**Mr. T. P. Reid:** What about ETV, a provincial responsibility?

**Hon. Mr. Bernier:** I think you were talking to the member when I said ETV would be extended into 1982. We are looking for funds to extend it on a more permanent basis into other areas of northern Ontario. We heard the other day that Parry Sound and the North Bay areas are anxious to get ETV, as is the area west of Thunder Bay. In the interim, we will keep the pilot program going well into 1982.

In addition to our thrust at this level, I made sure that the issue of television services to northern Ontario and to northern Canada would be put on the agenda at the meeting of northern affairs ministers in Thompson, Manitoba, this year. The release we prepared in advance of that meeting was embraced by all the ministers at that particular conference. Copies of that brief have gone to Mr. Fox expressing our general dissatisfaction with the Canadian Radio-television and Telecommunications Commission and urging him to get on with the licensing process so that we can provide the people of northern Ontario with the level and quality of television service that other people have been taking for granted for such a long period of time.

I share the member's concern, I appreciate his bringing it up on a regular basis and I intend to do likewise, because I think

a constant reminder such as this and discussing the issue at this level will bring pressure to bear on those people who are involved in improving the quality of service, that recreational opportunity we need so badly in northern Ontario.

The member made reference to peat as a resource. I am sure he is aware that up to now the economics for peat were not falling into place. They have not fallen into place until just recently because of the high and accelerating cost of oil, natural gas and other forms of fuel. Peat is now beginning to show some economic viability.

While overseas this fall, my assistant deputy minister and I made a point of visiting Ireland and looking at its peat operation. Next Friday I will bring samples of the peat I picked up in Ireland along with a sample of the pellets they make very successfully. As you know, they have been in operation for some 20 years now.

As a matter of interest, the people directly involved with the harvesting of peat were violently opposed to the extracting of that type of energy 20 years ago. They resisted overwhelmingly the suggestions by the government of the day to move in that particular direction. It was not until the government actually said to the electrical power people: "We need some economic activity in these specific areas of Ireland. You will harvest peat and you will generate electrical power."

There are problems associated with that. One only has to visit the operation to see that they have maintained it as a labour-intensive operation. There are no economic considerations given. They are there to provide jobs in a very crude way. Where one person could do the job, there are as many as 10 or 12 people doing it. They wanted to create jobs, and it is working. Those costs are being passed on to the electrical power users. I make that point because they resisted it. They thought it was not feasible or economical and they are not sure that it is at this point, but it is getting very close to it now. They are not subsidizing it as highly as they were in the past, but they are using it as an economic development tool. That is the point I am trying to make.

We were most pleased and excited in our ministry to learn of the preliminary surveys done by the Ministry of Natural Resources and others interested in the development of peat as an energy source for this province. About 67 sites or locations have been iden-

tified in northern Ontario having an estimated 30 billion tons of peat resource that could be developed as a source of energy in northern Ontario.

5:30 p.m.

There is no doubt in my mind, and I am speaking as a layman now, that the use of peat for the generation of electrical power is still some distance off. There is no question in my own mind, from my own experience and observations, that because of the availability of wood fibre which is so easy to harvest and because we still rely on the fossil fuels of western Canada and the crude oil reserves we have there, the economics are not right yet for the generation of electric power with peat.

**Mr. T. P. Reid:** If we had it going, we could threaten to cut off their peat.

**Hon. Mr. Bernier:** We might, but the economics are just not there. In my opinion, further studies should be done with respect to the gasification of peat. I think there is a great market for peat to be used as a horticultural commodity. There is no doubt that is a tremendous market. When I learned that, and saw bags of Irish peat go as far away as Australia, South Africa and India, the thought came to me, "Why can't we do that in northern Ontario?" It does not make sense.

**Mr. T. P. Reid:** We have a plant in the Rainy River district.

**Hon. Mr. Bernier:** That is right, and that is something we will be looking at very carefully. As the honourable members are very much aware, there is interest in the private sector. We have had a number of discussions with them and they are anxious to start some preliminary surveys and studies. We think some pilot projects should be undertaken and a little more research should be done with the type of peat we have in northern Ontario.

I was interested to learn that the BTU content for peat in Ontario is considered to be a little higher than Ireland's. In fact, the moisture content is about the same, about 85 per cent, so there is no problem there. We were also pleased to learn there is no pollution problem in Ireland from the use of peat, absolutely none, and—

**Mr. T. P. Reid:** No sulphur content.

**Hon. Mr. Bernier:** No sulphur content at all and very little ash, which makes it very attractive indeed. I can assure the honourable members that this is one area that we will be intensifying our interest in.

**Mr. T. P. Reid:** The way you were handling that chain saw—

**Hon. Mr. Bernier:** What paper is that in? I won't read that into the record, it might come back to haunt me.

Getting back to peat, Mr. Chairman, it is a resource that this government, and certainly this province, has to look to, maybe not tomorrow morning but certainly the day after. It is an energy resource that up to now we haven't even thought of or looked at, along with the tremendous development of lignite. I am pleased the member for Cochrane North (Mr. Brunelle) is here because he has been advocating the use of that particular energy source for a number of years now and he has been instrumental in getting some—

**Mr. T. P. Reid:** Every election it comes up again.

**Hon. Mr. Bernier:** I think he is closer today than he has ever been.

Interjections.

**Hon. Mr. Bernier:** It will be called the Rene Brunelle generating station when it is built, because it has been a result of his tenacity and his belief in that as a source of energy. I do not want to put words in the honourable member's mouth, but I am sure he would want me to say that not only does he believe there is a tremendous resource there in lignite, but I share his view that there may well be a source of oil in the lower James Bay area. That too may be an area in which we should be intensifying our thoughts and our direction.

It is quite possible this province could be self-sufficient in energy as we develop our massive resources of peat, lignite in the lower James Bay area, and possibly with some very intensive research we may even turn up additional gas and oil wells in that exciting area which up to now has not been examined.

**Mr. Haggerty:** They have some test holes up there.

**Hon. Mr. Bernier:** Yes, there are a few minor test holes. I guess the industry would call them surface wells. But there has to be some in-depth study made. I think the Minister of Energy (Mr. Welch) is seriously looking at that possibility at present. Those are areas we will be looking at very carefully as we move ahead into the 1980s.

The honourable member questioned our involvement with regard to the use of crown land, or the blatant misuse of crown land as it relates to nonresidents. I share the member's concern. He recalled that as the former Minister of Natural Resources, I did implement a pilot project of crown land camping



control. I remember the Speaker of the House was a member of that committee when we discussed bringing in some type of pilot project. We looked around northern Ontario and made the suggestion that we would try an area. All the northern members at that time said it was a good idea but not to put it in their area.

**Mr. T. P. Reid:** Oh, come on now. I never said that.

**Hon. Mr. Bernier:** No, you did not but the others did.

**Mr. T. P. Reid:** I did not say that.

**Hon. Mr. Bernier:** I said you did not but others did. So I said to the members at that time, "Fine, I believe so strongly in it I will put my area in that experimental area." We took the member for Rainy River's area from Atikokan to the Manitoba border and we put it into a three-year crown land camping program that cost the ministry about \$250,000 a year. It was very disappointing. The support the industry received was absolutely nil. It was a bit of an employment project. There is no question about that.

But the program had been nonexistent for a year or two before we got a reaction from the tourist industry saying: "Where is that program? It is gone." We made a very intensive public relations project out of it when we dropped it because we felt it was not being accepted by the industry at large. Certainly, it was aggravating some of the local residents and, as the honourable member has pointed out, perhaps the time has come to restrict our nonresidents from south of the border. I do not think I could support a crown land camping control program that would deny Canadians the right to use our crown land. If we are going to apply it, it may have to have three levels, the Ontario resident, the Canadian resident and a non-resident type of operation.

I am sure the Ministry of Natural Resources will want to look at that very carefully. I know they have the results of that three-year experiment. I would hope the member would make his views known to the Minister of Natural Resources (Mr. Auld) as he is familiar with my own feelings.

I want to reassure him that we will do everything we can to co-operate and work with the Ministry of Natural Resources in this regard because we share that concern for the sensitivity and the blatant misuse of our crown lands in northern Ontario.

**Mr. T. P. Reid:** That is the most positive thing I have heard from you in that regard.

I hope you will push it with the Minister of Natural Resources.

**Mr. Wildman:** I may say, in beginning, that is the last time I will yield the floor. It does not pay to be nice and polite around here. What was intended to be yielding the floor to the minister so he could reply to the member for Rainy River turned into an all-afternoon dialogue between the two of them on matters which had little or nothing to do with this vote. So it obviously appears that what we are intending to do here on the first vote is to deal with everything.

Interjections.

**Mr. Wildman:** All along, the gentleman here, who is from southern Ontario and knows nothing about it, does not realize we just began these estimates and just before this the minister finished his opening statement. In that case, Mr. Chairman, I will deal with everything. I have a lot here and I am sure I can take all day Friday as well.

5:40 p.m.

**The Deputy Chairman:** Let me ask you, is there anything more on main office?

**Mr. Wildman:** Certainly, Mr. Chairman, I have a lot, as did the member before me who was given full rein.

I listened very closely to that dialogue and I tried to analyse what, indeed, the minister was saying. I will tell you, it was difficult. I will use the example where he talked about the peat development, a matter I raised with the Minister of Energy during his last estimates in the last session. He seemed to be saying in that case that the only way it got going in Ireland was through government involvement, something which he seems to have been shying away from. He sort of justified that by saying, "Yes, but the government was looking at it as an employment generating approach." In itself, that is not necessarily wrong because there are certain areas in the north where we could use some job creation program, but he said it had to be subsidized and was not really economic.

I ask the minister if he hasn't just looked at Ireland but if he has also looked at Finland, where they have been using peat for the generation of electricity for some years with great success. I admit there are some differences because Finland, of course, does not have any domestic oil like Canada does, so the economics are somewhat different.

**Hon. Mr. Bernier:** Are you suggesting I go to Finland?

**Mr. Wildman:** The minister has been to Greenland, Iceland and Norway, he might as

well go to Finland. The one thing I want to point out in this regard is that unlike this province and this government, the province of Quebec has moved faster. I understand that Quebec—after studying what has happened in Ireland and Finland—is looking very closely now at the development of a pilot project for the generation of electricity using peat.

I understand Quebec may have some greater peat deposits than we have but we have extensive peat deposits throughout northern Ontario. I do not know why this government does not become involved but just depends on the private sector. Why wouldn't they become involved in looking very closely at a pilot project to see if it is feasible? If it is shown to be feasible, they could move it to the private sector. That is the kind of thing we believe this ministry could be doing, especially when one looks at the problems the minister has admitted exist in one-industry towns.

I listened very closely to his response to my colleague from Sudbury East (Mr. Martel). On the one hand he seemed to be saying that to deal with the need for diversification of one-industry towns, is a very complex problem. We do not debate that. We agree it is a complex problem. It is one that the private sector has not been able to resolve in the last 50 years or so.

The minister pointed to the Sudbury 2001 project and its problems and all of the difficulties and lack of success on the part of 2001 on the one hand and then tried to have it both ways by saying, on the other hand, "I have confidence in them." I would like to know what—

**Hon. Mr. Bernier:** Without a local member.

**Mr. Wildman:** Oh, that is it, you have confidence in them without the local members. My colleague pointed out that their decision to give this \$100,000 to this character who was going to buy goats in Texas was done without his involvement. You cannot have it both ways.

One thing I want to deal with in a serious vein though is if you look at Sudbury, Atikokan, Wawa, Elliot Lake or any other mining community in northern Ontario, no matter how great the diversification that is in place, and the minister referred to the Financial Times article, the fact still remains, and we all admit it, that just like the gold mining communities of many years ago those towns exist where they are because of the mine and mineral resource there. That is the reason they are there.

Mining is, as the minister said, the lifeblood of Sudbury. There is no question about that. The problem is that the minister seems to stop there. The reason we do not want to stop there is we all admit, as does the minister, that minerals are a finite resource. Eventually those minerals are going to run out, as happened with the one operation at Atikokan.

The minister said the other day that the people of Atikokan knew 30 years ago they had only 30 years of ore. He then pointed to Wawa in my riding and said the people in Wawa know, as Algoma ore division says, they have 25 more years of ore and they are now concerned about that and want to look at ways of diversifying the economy of that community which is there because of the iron ore deposits and because of the iron ore mine, although they also have tourism as a major industry. I agree with all that. That is all true. The problem we face is not that we are concerned about the people of the community not taking this situation seriously. We know they do. The problem is we do not have a government that seems to take this thing seriously.

How can the minister stand before us and say that 30 years ago they knew in Atikokan they only had 30 years of ore and then say, "Well, that is the way it is"?

**Hon. Mr. Bernier:** I didn't say that. We are in there pitching now.

**Mr. Wildman:** The private sector had 30 years and the private sector did not do it. The government depended on the private sector and so nothing happened. The same thing will happen in Wawa unless the government takes a positive, aggressive, active role in the development of those communities. It is obvious, as the member for Rainy River pointed out, that those resources provide us with opportunities.

The minister talked at length about the Northwestern Ontario Associated Chambers of Commerce proposals with regard to mining machinery. That is a topic this party has been talking about in a positive way, not in a negative way as the minister tries to point out. This is a great opportunity for us in northern Ontario. As my colleague for Sudbury East pointed out, we have such a market. We are the highest consumer of mining machinery in the world, the second highest importer of mining machinery and the third largest mining industry in the world.

The private sector has not done it. We have Jarvis Clark in North Bay. Jarvis Clark



is expanding now, not only for the domestic market but for the export market. They are expanding in Burlington in southern Ontario.

All I am saying to the minister is if we remain solely dependent on the private sector this whole thing is going to be perpetuated. Then 25 years from now we or other members will be standing here and saying, if we do not discover more iron ore in the area, "Why is it that Wawa does not have anything to turn to after 25 years? Why is it that there is not something else there?" They will be in the same position as Atikokan. Then I suppose the minister or his successor or whoever happens to be the minister at the time will scurry around and try to find some additional industry for Wawa so that the people there will not have to sell their homes and leave.

That is not good enough. The minister may think this is gloom and doom. It is not. We believe we have tremendous resources in the north. We have tremendous potential and opportunities there. We have the people who are willing to take those opportunities and who have the skills to develop them. We have the confidence that it can be done. It hasn't in the past and it should be. If that is gloom and doom, I really do not understand the minister's position. I have tried to understand it, but I cannot.

One of the problems the minister pointed to is that there is a tremendous amount of competition between municipalities. I think he said there are 900 municipalities all wanting secondary industry. That is true, that is the problem and that is why regional planning and leadership on the part of the provincial government is so necessary, so that those municipalities are not all competing with one another but are acting as a team from the northeast to the northwest and so that they all can work together to bring development to their area which will benefit them all. To suggest that someone who proposes that is somehow wrecking the north I think is not worth even commenting on.

5:50 p.m.

We understand that the problems aren't easy, that they are difficult problems. But we also recognize the potential. What we believe is necessary is a government with the political will to take the potential and to resolve the problems. I won't go into that any further except to say I would hope the minister would take these comments—which have, as he said, been made over and over

in this House many times—in the positive vein they are put.

I asked specifically during my leadoff statement what ministry had the mandate to set up a research and technological institute for northern Ontario to look into ways to bring diversification to the north. What ministry has the mandate to assist the communities that don't have the expertise themselves to do the kind of research into what the potential is in their area, into what the needs are and how to bring them about?

I referred in my leadoff to the comments made by Assistant Deputy Minister Herb Aiken with regard to this proposal and I believe the minister has not as yet responded to that. I have a copy of a letter written by Mr. Aiken to a Mr. Hunnisett in Porcupine, dated July 29, 1980. In this letter, the assistant deputy minister says:

"As I indicated during our meeting last month, the idea of a northern-oriented research and development facility with a capacity to address northern needs and problems is attractive. To avoid any misunderstanding, I must reiterate that present commitments and priorities do not permit the ministry to endorse or sponsor a northern institute of technology. The ministry's mandate does not provide for the establishment or operation of such institutions."

Then he goes on to say: "There is, however, reason to be optimistic that the increasing interest in research and development by various levels of government may provide some opportunities for northern Ontario in the not too distant future."

As I asked before, if the Ministry of Northern Affairs, the ministry responsible for bringing about development and co-ordinating government activities in the north doesn't have the mandate, which ministry does? If American states can establish this kind of institute to help bring about development and to research new methods of providing diversification in their areas and the technologies necessary to use the resources they have in their areas, why can't we? Or are we dependent on the private sector?

Let me be clear, Mr. Chairman. I am not necessarily saying the Ministry of Northern Affairs has to do this. If another ministry is better equipped or ready to do it, that's fine. All I want to know is which one has the mandate to do it. Perhaps the Ministry of Colleges and Universities could do it in conjunction with one of the institutes of higher learning or schools of technology in

our area—for instance Laurentian or Lakehead or the community colleges. There should be some sort of system where we could draw upon the expertise from all of those institutions. But if Mr. Aiken is correct that this ministry doesn't have the mandate, who does? Do we have reason to be optimistic, as Mr. Aiken indicates?

I have some specific questions to raise regarding the ministry's co-ordination and liaison function with other ministries, which I believe is under item 1 of this vote, but perhaps I could leave that until next time if the minister can respond to the specific question I have raised.

**Hon. Mr. Bernier:** Mr. Chairman, I might inform the member for Algoma that my assistant deputy minister, Mr. Aiken, and Dr. Austin Lupton will be meeting with the reeve in Wawa on December 4 to discuss the work of the economic development committee as it relates to the long-term liability of that particular community. I think that is a good indication that our efforts and our direction are right. As he correctly pointed out, we have time on our side and we can certainly start the process working in that particular direction.

I am not sure which of the questions the member wanted me to respond to. There were so many there.

**Mr. Wildman:** The institute.

**Hon. Mr. Bernier:** I think the institute is basically on the funding aspect, as the assistant deputy minister pointed out. There are all kinds of research possibilities going on in the two universities we have. I want to make it very clear that the Ministry of Northern Affairs does have a commitment.

I have personally made that commitment to Dr. Harrower of Lakehead University and to Dr. Best of Laurentian University to use their facilities and strengthen their base, both at Thunder Bay and at Sudbury. They are desirous of the extra work, they have the expertise and it is incumbent upon us, if we want to do things for northern Ontario, to use those facilities already established by the very able Minister of Colleges and Universities (Miss Stephenson). There is no doubt—and she whispers in my ear on a very regular basis—that if one has some requirements in one's ministry, one should use the expertise within Laurentian University and Lakehead University. It makes good sense, and that is the direction we will certainly move in. I hope to be entering into some agreements in a number of different ways with both those facilities.

**Mr. Wildman:** That is quite a legitimate response by the minister, but I wonder if there is going to be any attempt in the future to somehow bring together all the studies—I know the various institutions, such as Laurentian or Lakehead, might be doing studies in various fields—so that there is a pool of expert information available to both the private and the public sector in terms of regional development in the north.

**Hon. Mr. Bernier:** I think it is correct to say we will be developing a mechanism where all that can be brought together in the interest of what happens right across northern Ontario.

On motion by Hon. Mr. Bernier, the committee of supply reported progress.

The House adjourned at 6 p.m.



## APPENDIX

(See page 4000)

ANSWERS TO QUESTIONS  
ON NOTICE PAPER

## POLICE EDUCATION

**171. Mr. Lupusella:** Will the Ministry of the Solicitor General provide figures on the number and percentage of recruits with: (i) university degrees, (ii) college degrees, and (iii) no post-secondary educational qualifications entering the following regional and municipal police forces, and the Ontario Provincial Police, for the year 1970 and for each subsequent year? Will the ministry also provide figures on the proportion of each force made up of officers with the educational backgrounds identified above, for 1970 and for each subsequent year? Regional Police Forces—Durham; Haldimand-Norfolk; Halton; Hamilton-Wentworth; Niagara; Peel; Sudbury; Waterloo; York. Municipal Police Forces—Barrie; Belleville; Brantford; Brockville; Chatham; Cornwall; Guelph; Kingston; London; North Bay; Orillia; Ottawa; Owen Sound; Pembroke; Peterborough; St. Thomas; Sarnia; Sault Ste. Marie; Stratford; Thunder Bay; Timmins; Vanier; Windsor; Woodstock. (Tabled May 15, 1980. Interim answer May 27, 1980. Approximate date information available October 30, 1980.)

See sessional paper 271.

**176. Mr. Lupusella:** For each of the police forces listed in question number 171, will the ministry provide information on the availability of the following kinds of educational leave and assistance in educational upgrading for police officers: (i) full-time educational leave; (ii) paid full-time educational leave; (iii) part-time educational leave; (iv) paid part-time educational leave; (v) assistance in continuing education (such as the payment of tuition fees)? How many officers are currently taking advantage of such educational leave and educational upgrading policies? (Tabled May 20, 1980. Interim answer June 5, 1980. Approximate date information available October 30, 1980.)

See sessional paper 272.

## ALUMINUM WIRING

**271. Mr. Breithaupt:** Would the Minister of Housing provide the following information regarding the use of aluminum wiring in Ontario Housing Corporation units for the years 1975 to 1979 inclusive: 1. The estimated percentage of OHC units or projects wired with aluminum wiring; 2. The number

of programs involving the replacement of aluminum wiring and/or old technology receptacles wired with aluminum wiring; 3. The number of resident complaints arising out of difficulties relating to aluminum wiring; 4. The number of fires recorded in OHC units or projects attributable to aluminum wiring; 5. The total maintenance cost attributable to aluminum wiring, including a breakdown of figures relating to replacement programs and damage due to fires? (Tabled October 7, 1980.)

**Hon. Mr. Bennett:** 1. Approximately 25 per cent (15 per cent all aluminum; 10 per cent combination aluminum and copper) of OHC projects are wired with aluminum wire for one or more of the following:

(a) The incoming service; (b) The main electrical switch gear and sub-feeders; (c) Wiring to distribution panels in corridors, public areas and in-suite panels; (d) Branch circuit wiring (switches, duplex outlets, light fixtures in suites).

In the years, 1975 to 1979 inclusive, no projects were constructed in which the entire project was wired with aluminum wire; since 1974, all branch circuit wiring in new projects has been copper.

2. There are no programs for the replacement of aluminum wire. Each of the 60 local housing authorities has its own program for the replacement of old technology receptacles. Connectors are replaced on an as-and-when-required basis. Technical assistance is available on request.

3. There have been 982 resident complaints arising out of difficulties relating to aluminum wiring.

4. There have been five fires attributable to aluminum wiring.

5. The total maintenance cost attributable to aluminum wiring, including replacement programs, is \$304,061.62. Damage due to fire amounted to \$5,695.

## ONTARIO MINING TAX

**353. Mr. Foulds:** Will the ministry estimate the amount of mineral revenue lost to the public treasury as a result of the temporary and now permanent deduction of foreign processing costs of Ontario ores from the Ontario mining tax? (Tabled October 21, 1980.)

**Hon. F. S. Miller:** Under section 11(a) of the Mining Tax Act, I am precluded from answering this question since, due to the

small number of companies involved, disclosure of such information would make it possible to identify specific taxpayers.

### FOREST REGENERATION

**354. Mr. Foulds:** Will the ministry estimate the total area of forest land in Ontario which has been cutover but has not received any regenerative treatment to date—that is,

what is the size of the so-called “backlog.” (Tabled October 21, 1980.)

**Hon. Mr. Auld:** Detailed information is unavailable prior to the approval by cabinet of the forest production policy in 1972.

The following table summarizes the data from 1973 to the present on areas cutover and areas regenerated as they appear in my annual report.

**TABLE 1**  
**Summary of Regeneration on Crown and Patent Land in Ontario**

1	2	3	4	5	6	7
Fiscal Year	Total cutover area	Area not available for regeneration treatment	Area regenerated naturally	Area requiring regeneration treatment	Area regenerated artificially	Area requiring treatment but not treated
	Thousand acres	Thousand acres	Thousand acres	Thousand acres	Thousand acres	Thousand acres
1973-74	474	31	172	271	150	121
1974-75	476	57	151	268	182	86
1975-76	486	98	124	264	172	92
1976-77	387	61	102	224	177	47
1977-78	465	162	141	162	198	(36)*
1978-79	482	154	141	187	193	(6)*
1979-80	540	169	170	201	197	4

\* Denotes areas treated in excess of areas requiring regeneration treatment.

Column 1: Fiscal year.

Denoting the year commencing April 1 and ending March 31 following.

Column 2: Total cutover area.

Denoting the total area cut in acres during the fiscal year preceding the reporting year.

Column 3: Area not available for regeneration treatment.

Denoting that part of the total area cut which after inspection is judged to be unavailable for regeneration treatment due to:

- i. Site constraints; that is, too rocky and/or too wet.
- ii. Access constraints; that is, winter cuts which are inaccessible in spring and summer.
- iii. Utilization constraints; that is, area with residual stands or trees which precludes the use of silvicultural equipment.

Column 4: Area regenerated naturally.

Denoting that part of the total area cut which after inspection is judged to meet the provincial regeneration standards.

Column 5: Area requiring regeneration treatment.

Denoting that part of the total area cut which after inspection is judged in need of silvicultural treatment to establish a new forest.

Column 6: Area regenerated artificially.

Denoting that part of the area indicated in column 5 which has been treated during the fiscal year.

Column 7: Area requiring treatment but not treated.

Denoting the difference in area indicated in columns 5 and 6.

**355. Mr. Foulds:** Will the ministry estimate the total profits of mining companies from Ontario-based operations between 1970 and 1980? Will the ministry also indicate the number of companies paying Ontario mining tax for each year listed, and the total amount of mining tax paid to the province each year? Will the ministry also provide an estimate of total revenue loss resulting from each deduction allowed under the Ontario Mining Tax Act and regulations? Finally, will the ministry also estimate the amount of revenue accruing to the province from corporate income tax paid by mining companies? (Tabled October 21, 1980.)

**Hon. F. S. Miller:** The total amount of mining tax paid to the province increased from \$24.7 million in 1970-71 to \$99 million in 1979-80 as indicated in the following table.



Year	Number of mining taxpayers	Total mining taxes (\$ millions)
1970	25	24.7
1971	19	13.3
1972	26	16.3
1973	27	36.3
1974	27	152.1
1975	25	62.4
1976	23	41.0
1977	21	22.3
1978	23	41.8
1979-80	28	90.0

The following table shows the Ontario corporate income tax revenues from metal mines for 1973-78 (the years for which data is available).

Year	Revenue (\$ millions)
1973	13.3
1974	38.0
1975	20.6
1976	17.9
1977	8.8
1978	18.8

The additional data requested in question 355 is not readily available and to produce

it would require a considerable length of time (several man-years).

#### RODNEY GREY

358. **Mr. Laughren:** Will the Minister of Industry and Tourism advise what salary is being paid to Mr. Rodney Grey, special advisor to the government of Ontario? What date did he commence his employment with the Ontario government and how many days since then has he spent in Canada? (Tabled October 21, 1980.)

**Hon. Mr. Grossman:** Salary—\$27,600 per annum. Commenced employment on August 15, 1979. Total number of days spent in Canada since August 15, 1979: 1979-80: October 30 - March 31, 35 days; 1980-81: April 1 - October 30, 24 days; total 59 days.

Normally, Mr. Gray works out of the London, England, office.

#### INTERIM ANSWER

On question 367 by Mr. Cunningham, Hon. Mr. Grossman provided the following interim answer: Additional time will be required to answer this question. A response will be available on November 20, 1980, approximately.

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, November 4, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, NOVEMBER 4, 1980

The House met at 2 p.m.

Prayers.

## LIQUID INDUSTRIAL WASTE

**Mr. Isaacs:** Mr. Speaker, I rise on a point of personal privilege to correct the record. Yesterday I posed a question to the Minister of the Environment (Mr. Parrott) which contained the information that provincial offences officers from Harwich township had obtained a search warrant for ministry files. This information was obtained at a meeting in Harwich township last Friday, attended by the member for Windsor-Sandwich (Mr. Bounsall); Mr. Michael Phipps, the administrator of the township; Mr. Maurice Van Gassen, the reeve of the township; another councillor; a parliamentary intern and myself. I have now learned that the information about the search warrants was incorrect. I withdraw that statement and I apologize to the House.

The fact that a search warrant had not been obtained was the only item on which my information was in error. The provincial offences officers were engaged in a search of ministry files and they did thereby obtain information that was not previously in the possession of the township, information that will assist them to protect the environment of the township and to enforce its bylaws.

**Mr. Speaker:** The honourable member was quite right in his secondary observation that it was to correct the record. It didn't involve a question of privilege.

Since this seems to be the time for apologies, I think I owe the member one as a result of a supplementary that he posed to the Minister of the Environment yesterday. I indicated at the time that I hadn't heard an interrogatory remark and, therefore, it was not a question. On checking the record, I find I was in error, and for that I apologize to the member. As a matter of fact, the member for Sudbury East (Mr. Martel) and the Leader of the Opposition (Mr. S. Smith) were firm in their own minds that there was a question. I was just as firm that there was not. The record proves I was wrong, and for that I apologize.

On Monday, October 27, and again yesterday, the member for Wentworth raised what he deemed to be a matter of privilege with respect to answers by the Minister of the Environment to questions tabled on October 9 and October 10. I gather his main point was that in answering the member's question 275, tabled on October 9, the minister tabled all material to the date of the question, which material I may say was quite voluminous. As I understand it, Mr. Isaacs suggests there was a further letter, dated October 16, which was not included.

It is not my obligation to research the minister's answers and decide whether or not he should have included additional material. It is the prerogative of the minister who, as I have already pointed out, may answer as he sees fit or not at all. Therefore, I find no evidence that any of the recognized privileges of the member of this House has been breached by the minister's answer. If the member is dissatisfied or he thinks that further material should be forthcoming, he may simply table another question.

## STATEMENTS BY THE MINISTRY

### AUTO PARTS EXHIBITION

**Hon. Mr. Grossman:** Mr. Speaker, as members are aware, one of our government's major initiatives to strengthen and support Ontario's automotive and automotive parts industries is our involvement in SITEV—the Société internationale de transportation et véhicules—the world's foremost automotive parts exhibition held annually in Geneva.

For the past three years, my ministry has actively participated in this international auto parts show and the results have been outstanding. In 1979 alone, the Ontario manufacturers who attended SITEV reported \$14 million in actual sales as a direct result of the exhibition.

Last May, I led the largest Ontario trade mission ever—a mission composed of 35 Ontario auto parts manufacturers—to SITEV '80 in Geneva. These manufacturers displayed their products to 30,000 auto parts buyers from 45 countries throughout the world. Sales projections resulting from the 1980 show

amount to \$23.6 million and manufacturers have reported 19 joint venture prospects, three licensing opportunities, 35 invitations to quote on major auto parts contracts and 15 branch plant prospects. In addition to the \$23.6 million in projected sales, actual sales made during the show totalled \$1.3 million.

One of the major challenges that Canada and Ontario have always had to overcome is attracting key automotive decision-makers to visit our country, look at Ontario, meet our parts manufacturers and see firsthand our province's potential as an investment location and as a source of their parts requirements.

When I attended SITEV last May, I arranged to spend some time with the organizer Mr. Roland Dana, as we were aware that plans were being made to expand SITEV by adding an exhibition in America and one in the Far East. Subsequent to our discussions last May, Mr. Dana agreed to visit Ontario at the invitation of my ministry, which he did earlier this fall. I am pleased to announce today that as a result of that visit, Toronto has been chosen over competing American jurisdictions to host SITEV America. The exposition will be held on June 16, 17 and 18 of next year at the Canadian National Exhibition grounds.

Unlike SITEV Europe, which is a conventional trade fair, SITEV America in Toronto will serve as a forum for auto parts and vehicle manufacturers from around the world to meet for discussions on joint ventures, licensing arrangements, partnerships and opportunities for establishing production facilities in the Americas.

Participants in SITEV America will include buyers from North, Central and South America, Europe and Japan; industrial location specialists representing European and Japanese automobile manufacturers; original equipment market suppliers; and national, state, provincial, municipal and industrial development officials. Financial, taxation and project planning experts will also attend to provide detailed information to interested companies.

SITEV America is the first specialized international industrial development forum of its kind ever to be organized for the automotive sector. During the course of the three-day exposition, conferences and symposia will be organized in conjunction with the exhibition.

My ministry is working with the organizers of SITEV by using our network of international and domestic offices to recruit suitable participants. Those participants will include companies capable of and interested in

gaining access to international markets, and companies that wish to enter into joint ventures and licensing arrangements with other countries. We will also be in contact with the federal government and with the governments of other provinces to encourage their support and participation.

The SITEV automotive exhibition has gained an international reputation as the meeting place for key decision-makers in the automotive industry. By ensuring that a SITEV exposition will be held in Ontario, we are offering our auto parts manufacturers a major opportunity both to meet these decision-makers firsthand and to learn about and acquire new technology, and we are offering Ontario municipalities an opportunity to make contact with potential investors in this most important sector.

2:10 p.m.

We are determined to ensure that SITEV America in Toronto is a major success, and we will be devoting a great deal of time and effort to maximize the opportunities presented by bringing the world auto market and industry to Ontario for the first time.

#### McMICHAEL CANADIAN COLLECTION

**Hon. Mr. Baetz:** Mr. Speaker, I rise today to pay well-deserved tribute to Mr. Robert McMichael, who has tendered his resignation as director of the McMichael Canadian Collection.

The exceptional growth of the collection and the increased complexities of gallery administration have had a great deal to do with Mr. McMichael's decision to turn over the gallery's operations to other hands. The day-to-day detail has become tremendously involved and it is entirely understandable that somebody with Mr. McMichael's broad interest and vision would want relief from it.

Mr. McMichael's resignation will take effect when the collection's board has appointed a new director and chief executive officer. I expect the board will be announcing that appointment within the next two months.

In the meantime, all honourable members will be happy to know that both Robert and Signe McMichael will continue to be close to the collection. They will continue to act as trustees. Mr. McMichael will hold the title of founder director-emeritus and, in addition to being a member of the board, will act as a consultant and adviser to it.

Mere words cannot do justice to the scope and meaning of the gesture the McMichaels made to their fellow Canadians in 1965 when they donated their collection of Canadian



art and their property and residence to the people of Canada through the government of Ontario.

In the 15 years since, thanks to their sensitive stewardship and the support of the people of this province, the collection has grown to 2,000 pieces from the original 300. The scope of the collection has also broadened significantly and it now encompasses some of the most outstanding native Canadian art to be found anywhere.

One has to visit the collection to appreciate fully just how much it tells us about ourselves and our land. One has to see the collection to understand how vital it is to us today and, more important, how vital it will be to future generations.

The collection's artistic and cultural value is manifest. It has also proved to be tremendously popular. Last year, for instance, almost 300,000 people passed through the gallery's doors. Incredibly, that was second only to the Art Gallery of Ontario among all public art galleries in this entire country. That is an outstanding tribute not only to the collection and the gallery, but to the tremendous energy the McMichaels and everybody with whom they work have spent in drawing so many fascinated people to the collection.

I know all honourable members will want to join me in thanking the McMichaels most profoundly for their dedication and commitment. Mr. Speaker, with your permission I would like to identify Robert and Signe McMichael in the Speaker's gallery.

**Mr. Speaker:** Oral questions.

## TORONTO ISLAND HOMES

**Mr. S. Smith:** On a point of order, if I might, Mr. Speaker: Is the minister not going to say anything about the writs which have been issued on Toronto Island? Is there no statement on this subject?

**Hon. Mr. Wells:** I will answer a question.

**Mr. S. Smith:** Then I will ask a question if the minister has no statement for the House. When one has only two questions, one has to preserve them; preserve and conserve them, that is what I try to do.

## ORAL QUESTIONS

### TORONTO ISLAND HOMES

**Mr. S. Smith:** Mr. Speaker, is the Minister of Intergovernmental Affairs unaware of the fact that at least one writ, an eviction notice, has been served? The one I have here is a

photostat of one served on David Amer and Elizabeth Amer, 11 Willow Avenue, Toronto Island. Is the minister prepared to comment on this? Why has he been apparently powerless in persuading Metro to hold off, to cease and desist in this? What is the minister going to do?

**Hon. Mr. Wells:** Mr. Speaker, let me give my honourable friend an answer to his question. First of all, I am well aware of the writs and I have been well aware they are going to be served. I want to say first and foremost, I think it is a stupid and inhuman time to suggest anybody should be evicted on November 17, practically at Christmas. I think that indicates to the member that I am concerned about the matter and intend to devise some way to find a solution to the problem.

What solutions are possible? We have been considering those solutions and I have made no statement today because we have not come to any conclusion as to the best way to proceed at the moment. There are three ways we could proceed to stop those evictions:

First, the writs were asked for by Metro and Metro could ask that those writs not be served. I have received a letter from Paul Godfrey saying that he and Metro council will not do that. I do not agree with that action because I still say it is an inhuman time to suggest writs be served and I think Metro council should realize that, particularly since they know, as we all know in this House, the Swadron commission still has to report. The Swadron commission has held the most extensive review of the whole island situation undertaken in the last three or four years and I believe its report will be invaluable. However, in their wisdom, they have decided not to ask that those writs not be served.

The second way we could handle this matter expeditiously would be to pass, unamended, Bill 5 which stands on the Order Paper of this House. My friend shakes his head. We have suggested what we think is an acceptable solution. I recall the Toronto Star, in an editorial, said this would be a very acceptable solution. If my friends in the official opposition will remove their reasoned amendment, I will bring forward and call Bill 5 this evening; we can pass it and those writs will not be served. The Swadron report can then be presented and there will be plenty of time for people to consider what further action could be taken.

I want to make it clear that passing Bill 5 this evening would cause those writs not to

be served. Passing the reasoned amendment of the Leader of the Opposition today would not stop those writs because all that amendment does is to ask Metro not to proceed. I can tell my friend, based on my experience in dealing with Metro, they will still pay no attention to that reasoned amendment and they will not cease to put those writs through.

The third course of action is that we could consider some short-term legislative action that would cause the writs not to be served so the Swadron report could be considered. There are certain legal difficulties connected with that. Cabinet will be considering all these courses of action tomorrow. On Thursday, I will report to my friends what is going to happen.

I again emphasize I think it is stupid and inhuman to suggest anybody should be evicted on November 17 and I wish Metro would take the bull by the horns and do something about it.

**Mr. S. Smith:** Since it appears the minister is going to have to bring in some short-term legislation at the very least, could he kindly commune once again with his fellow party member, Mr. Godfrey, the man who apparently is doing what the minister calls a stupid and inhuman thing, and tell him to stop sending out these writs since the minister has every intention of bringing in short-term legislation? Given that the date of vacation of the premises is supposedly November 17, 1980, will the minister guarantee that we will have that bill here in this House on Friday so it can be passed early in the week, to stop the suspense in which these people are being kept, totally unnecessarily?

2:20 p.m.

**Hon. Mr. Wells:** Mr. Speaker, I have asked my friend, the Metro chairman, about this and I have had a letter back from him saying he will not do anything to cause those writs not to be served. I have to emphasize again that if this House really wants to take quick, speedy action let us pass Bill 5 tonight.

I want to underline again that even passing the reasoned amendment moved by the Leader of the Opposition will not cause the writs not to be served, but passing Bill 5 will quash the writs. If my friend will agree to pass that bill, we could perhaps even have His Honour stand by to give royal assent to it tonight.

**Mr. R. F. Johnston:** Supplementary, Mr. Speaker: As the minister knows, Bill 5 is not an option that is acceptable to either of the parties on this side, nor to the islanders, and

it is probably unacceptable to Swadron himself. Why does the minister not instead bring forward today a stay of process as a minimum until the Swadron commission has reported? There is nothing to stop him from doing that.

**Hon. Mr. Wells:** I thought I indicated that was the third option open to us, and that option, along with others, will be considered by cabinet. We worked long and hard on Bill 5 and it does offer an opportunity for this House to stay those writs today. It also still offers an opportunity for the Swadron report to be presented and to be read, and for us all to consider further action. I think the members opposite misunderstand. They do have it within their power to do something today under the rules of this House, but they do not want to do it.

## RENT INCREASES

**Mr. S. Smith:** Mr. Speaker, I have a question on a different topic for the Minister of Intergovernmental Affairs. Since this seems to be the day for discussing the insensitivity of his friend at Metro, would the minister care to comment and tell us exactly what he intends to do regarding a proposal to increase the rents on Metro-owned housing well beyond any of the guidelines that a rent review process would normally apply if such housing were under the rent review process?

Does the minister not recall that in this House assurance was given that Metro would not go beyond the rent review guidelines when Metro housing was exempted from the rent review process? Will the minister, therefore, act on behalf of the provincial interest to be certain that no increases in rent take place beyond the rent review guidelines?

**Hon. Mr. Wells:** I will have to look into that, Mr. Speaker. I know nothing about it. I have spent all morning looking at the Toronto Island problem. I will have to take that under consideration and get an answer for my honourable friend.

**Mr. S. Smith:** Perhaps I should redirect the question to the Minister of Housing who appears to know a little bit more about the matter. I might just say parenthetically that if the Minister of Intergovernmental Affairs did spend all morning on the island issue, why did he not have a statement for the House on that matter?

May I ask the Minister of Housing if he recalls the assurances given that publicly owned housing in this regard would volun-



tarily obey the rent review guidelines when such housing was exempted from the rent review process generally? If he does recall that, is he prepared to act in some way to make sure that these unwarranted rent increases, well beyond the guidelines, do not occur?

**Hon. Mr. Bennett:** As to the first part of the question, Mr. Speaker, I can only say that what I know about the situation is what is in the front page of the *Toronto Star* today. I have asked the people in my ministry to check with Mr. Godfrey and others at the Metro housing authority as to exactly what has taken place.

In replying to the Leader of the Opposition this afternoon, I would not want to say these rent increases are unwarranted because I do not know the basis on which the rent increase of 60 per cent, which seems to be the maximum, has been incurred at this time. I am prepared to wait until I have the report before me to assess exactly why this situation has developed.

**Mr. Cassidy:** Mr. Speaker, it is clear the Progressive Conservative government of Ontario is now getting from its Tory friends in Metro the same treatment it is handing out to its erstwhile Tory friends in Ottawa. Since this is so, would the Minister of Housing undertake to bring in legislation that would ensure that where housing that happens to be municipally owned is available in the commercial market it will be subject to rent review guidelines? The exemption for municipalities was clearly directed to social housing that would be at below-market rents.

**Hon. Mr. Bennett:** Mr. Speaker, when the Residential Tenancies Act was being reviewed for a period of about 18 months, that question was repeatedly asked of the Minister of Consumer and Commercial Relations (Mr. Drea), who reports for that piece of legislation. It was clearly indicated that where socially provided housing on the market is on a rent-geared-to-income basis, that in itself is the rent control factor. That is exactly where we stand on the issue at this moment.

As for the increases that are now taking place, I would be wrong to try to guess why they have come about, but let me suggest to the leader of the third party I would imagine that most of the people giving the advice to the Metro housing authority would likely come from his friends in that government.

**Mrs. Campbell:** Mr. Speaker, I would like to go back to the Minister of Intergovern-

mental Affairs. The chairman of Metropolitan Toronto has refused to take action on the island issue because he does not want to change the policy of Metro council. What right does he have to change the policy of Metro council when the local councils are functus? It has to be a change in policy because he has said on his rent issue that the policy of Metro was not to increase beyond six per cent. Would the minister consult with Mr. Godfrey to see how that kind of policy change can be made at this time?

**Hon. Mr. Wells:** Yes, I will be happy to, Mr. Speaker.

## LIQUID INDUSTRIAL WASTE

**Mr. Cassidy:** In the absence of half of the cabinet, Mr. Speaker, I would like to ask a question of the Deputy Premier about liquid industrial waste.

Has the Minister of the Environment (Mr. Parrott) reported to the cabinet on the outcome of a meeting that was held on October 27 at the Park Plaza Hotel attended by the Deputy Minister of the Environment and his senior officials, along with representatives from some 21 companies that are major generators of hauled liquid industrial wastes in Ontario? It was a meeting chaired by Stelco's chief executive officer and the corporate manager for Ontario of Imperial Oil Limited.

Can the Deputy Premier explain to the House why it is that the Deputy Minister of the Environment and other senior officials should closet themselves with these senior corporate representatives in a meeting that focused almost exclusively on political solutions to the problems of disposing of liquid industrial wastes rather than planning acceptable and safe technical solutions for the disposal of such liquid wastes?

**Hon. Mr. Welch:** Mr. Speaker, I am a little amazed that in the second part of the honourable member's question he indicated what he thinks went on at the meeting. I would assume there is nothing unusual for officials of a ministry to be meeting with people to seek some information with respect to the extent of problems and ultimate solutions. I cannot share with him what went on at that meeting. I will take the question as notice. The Minister of the Environment will be here and can respond to the member's question on Thursday.

With respect to communication between the members of the cabinet and their colleagues, the communication is good. The

Minister of the Environment and his officials are committed to a grand plan with respect to the treatment of industrial waste in this province. I am certainly satisfied they are busy every day on the subject, striving for solutions and also striving, ultimately, to solve these particular problems. I would leave the details with respect to any meetings that may have been held for the minister himself to respond to.

2:30 p.m.

**Mr. Cassidy:** Would it shake the faith of the Deputy Premier in his colleague the Minister of the Environment if he learned that, according to the report we have received from a participant in that meeting, they were told there were no technological barriers to the disposal of liquid wastes but only political barriers? Would it disturb the Deputy Premier to learn that the Ministry of the Environment has prepared draft legislation with which it can overrule municipal bylaws to shut down liquid waste disposal sites, but that the ministry is holding back from introducing that legislation only because it fears the political repercussions?

What right does the Ministry of the Environment have to discuss that kind of political approach to the disposal of liquid industrial waste with the companies that are the major generators of liquid waste in Ontario?

**Hon. Mr. Welch:** I cannot add anything to what I have already said in response to the main question.

As far as the faith of the member for Brock in his colleague being shaken is concerned, I certainly would not have any particular trouble reaffirming my faith in the minister. I know, as this House knows, his commitment to the program he has referred to on many occasions in this House in addressing this particular problem. I would feel that as one talks about a problem, one certainly has to have some consultation with those who are dealing in this matter just as one has consultation with a wide variety of people in seeking a solution.

How accurate the report of the leader of the third party is with respect to the meeting I have no way of knowing, but I am sure the minister will comment on it when he returns to the House on Thursday.

**Mr. Isaacs:** Supplementary, Mr. Speaker: Is the Deputy Premier also aware that one of the things that meeting was told was that it would pose a disaster for Ontario if the United States border were to be closed to Ontario liquid industrial waste? Does he not

think it is a tragedy if planning in our Ministry of the Environment depends on export of our problem to the US for protection of our environment?

**Hon. Mr. Welch:** Mr. Speaker, if memory serves me correctly, the minister has addressed this particular situation. I repeat once again that he has announced, in some detail, plans with respect to the treatment and ultimate disposal of this waste in this industrial jurisdiction. I would think he would welcome the co-operation and support of all honourable members as we seek a solution to a very important problem.

I sit here as a member hearing the unconstructive and unsupportive response of a number of people as the minister strives to seek the solutions. I am quite convinced that against the background of the program he has announced, we will find satisfactory solutions for the treatment and disposal of the substance.

#### MINI-BUDGET

**Mr. Cassidy:** I have a new question for the Treasurer, Mr. Speaker, arising out of the federal Liberal budget which came down last week. In view of the large increases in the price of home heating fuel that were announced in that federal budget, can the Treasurer tell us if he has received assurances from the federal Minister of Finance that there will be protection from these higher costs for low-income families in Ontario? If not, has he made representations to the federal government on that subject, and what has he urged?

**Hon. F. S. Miller:** Mr. Speaker, I thought I referred to that in my statement. No, I have received absolutely no assurances and the budget itself had absolutely no measures to alleviate the problem. I got hooted out of the place when I pointed out that at least John Crosbie's budget had done that.

**Mr. Cassidy:** In view of the reports of the Canadian Council on Social Development that the budget is going to cost low-income families some \$500 in 1981—and that is just the first year's increase—will the Treasurer make a commitment now to include in the mini-budget next week an energy tax credit for low-income families which at least will alleviate the increase to those families in the price of their home heating fuel?

**Hon. F. S. Miller:** Obviously I am considering a number of measures in that supplementary action I intend to take. Obviously I am going to consider that kind of



thing without in any way implying it will happen.

**Mr. Peterson:** Supplementary, Mr. Speaker: I assume the Treasurer has heard more responses in the last few days since the member for Sault Ste. Marie (Mr. Ramsay) asked the question about the uncertainty in the retail market because of the apprehension of some retail sales tax cuts in the Treasurer's mini-budget. Is the Treasurer prepared now to straighten out that matter to prevent this apprehension and loss of sales in the short term which are affecting a number of retailers in this province?

**Hon. F. S. Miller:** Mr. Speaker, I think the question directed to me by the member for Sault Ste. Marie was related to automobiles. The answer I gave appears to have satisfied the Automobile Dealer Associations of Ontario. I obviously cannot speculate on other measures, because I cannot reveal the contents of my actions until I present them. Otherwise, I would give the member or someone else an advantage in advance.

**Mr. Laughren:** Supplementary, Mr. Speaker: When the Treasurer is presenting his supplementary action, as he prefers to call it rather than a mini-budget, will he assure us that any action he takes, whether it be a sales tax reduction or an energy tax credit, will be designed to provide a cushion for low-income people? And will he not be unduly persuaded by the arguments of the member for London Centre (Mr. Peterson) that the federal budget was a brilliant one?

**Hon. F. S. Miller:** I suppose brilliance is in the eye of the beholder, Mr. Speaker.

**Mr. Foulds:** He was bedazzled.

**Hon. F. S. Miller:** It was reflected glory. Perhaps they accepted the member's advice for a change. The member is nodding his head saying they did. I hope the people of his riding recognize that, because it was not a budget at all. I am sure my colleague the member for Nickel Belt (Mr. Laughren) would agree with me that it was an energy statement and not a budget at all. It did not tackle one fundamental economic problem of this country. We have done so well in this province we still have room to take some supplementary action.

## FOREST CUTTING PRACTICES

**Mr. T. P. Reid:** Mr. Speaker, I have a question for the Minister of Natural Resources in regard to his mismanagement of the forest industry in the province.

Does the minister recall his answer to my question last week about clear-cutting in the province in which he indicated the forest management agreements dealt with the size of clear-cuts and restriction of the size of clear-cuts? Does he know the forest management agreements do not deal with the size of clear-cuts in northern Ontario? Will he give instructions to his district foresters that the size of these clear-cuts should be restricted so that we do not have desert land left in northern Ontario?

**Hon. Mr. Auld:** Mr. Speaker, in my reply last week I think I indicated one of the things that would be dealt with in forest management agreements could be clear-cuts. At the same time I think I also said that to set a maximum size for clear-cuts was impractical, I am told by foresters, because of soil conditions, temperature of the zone, perhaps the slope of the ground, and the species of trees.

I am clearly informed by our staff that the matter of clear-cuts will be considered in any program submitted by the licensee, as well as methods of planting and methods of harvesting—all those things we went into in some great detail last spring when we were going over the amendments to the Crown Timber Act. I think we will probably have an opportunity to discuss that in my estimates tonight or tomorrow, and some of the professional people will be there.

Like many other things, it sounds very simple to say there should not be any of this or any of that, or there should be some arbitrary limit. In some cases that kind of approach means we are going to do too much, and in other cases it means we are going to do too little.

**Mr. T. P. Reid:** Is the minister aware of the 1976 report of the Great Lakes forest research centre on black spruce regeneration on strip-cuts and clear-cuts in the Nipigon and Cochrane areas of Ontario? It found there were greater regeneration failures following unrestricted clear-cutting. Will the minister table all the unpublished Ministry of Natural Resources regeneration surveys they have?

**Hon. Mr. Auld:** I am not aware of that specific part of the report to which the honourable member referred. I will certainly endeavour to table the information we have in reports from licensees—not third-party agreements, but primary licensees—on regeneration. I qualify that by saying I will try to give the member a report shortly on what we

can publish, because a report can be anything from a letter to a four-inch document.

2:40 p.m.

**Mr. Foulds:** Supplementary, Mr. Speaker: Can the minister tell us what has happened to the internal recommendation of his ministry that clear-cuts be restricted to a size of 325 acres? Is that now a matter of policy? Can he tell us the rationale behind the ministry's new method of reporting success with regeneration in which they use a category described as "area not requiring regeneration"? Is that the one third of the forest that the ministry is essentially writing off and allowing the companies to timber mine?

**Hon. Mr. Auld:** Mr. Speaker, as far as the first part of the question is concerned, I am not aware of such a policy. There are many recommendations that filter through the staff. There is no policy in the ministry of any specific maximum or minimum cut. I think the honourable member is aware of that. There is a policy but it does not set a figure, which is what I just explained to the member for Rainy River.

**Mr. Foulds:** You rejected it.

**Hon. Mr. Auld:** The honourable member is aware that there is a large staff. Forestry, like medicine and a number of other fields of endeavour, is not an exact science and there are different opinions; there are different opinions on different areas.

Going back to the not satisfactorily regenerated areas in the province, the honourable member remembers very well that we talked about that last spring. I have forgotten the total acreage of not satisfactorily regenerated areas in the province, but I know it is many thousands of acres. I think I indicated at the time that we would be expecting to get regeneration on those areas in the course of the 10 years starting with last year. That does not mean regenerating areas that are not naturally productive areas.

#### PHYSICALLY HANDICAPPED WORKERS

**Mr. McClellan:** Mr. Speaker, I have a question for the Provincial Secretary for Social Development respecting sheltered workshops for the physically handicapped.

May I ask the provincial secretary whether she has seen the research document prepared by the policy secretariat of the Ministry of Community and Social Services in April 1979. If she has, is she familiar with table 2-59, which shows that, in the sheltered workshops for the physically

handicapped which employ clients of the Ministry of Community and Social Services, 37 per cent of those workshops are not accessible to wheelchairs?

**Hon. Mrs. Birch:** No, Mr. Speaker, I am not aware of that.

**Mr. McClellan:** Since the minister is in charge of co-ordinating festivities for the International Year of Disabled Persons, may I ask whether she is aware of table 2-89 of the same report which shows that the median wage for the handicapped workers in the province's workshops is \$318 a year? In other words, 50 per cent of the workers are earning less than 20 cents an hour. Will she not agree that the International Year of Disabled Persons is the time to end the minimum wage exemptions and to get the rehabilitation programs out of that miserly welfare department and put them under the jurisdiction of the Ministry of Labour?

**Hon. Mrs. Birch:** To begin with, we are not planning festivities for the International Year of Disabled Persons. We are planning to enable handicapped people to enjoy the same rights and privileges as everyone else through employment opportunities, through educational opportunities and through housing.

**Mr. Warner:** Try to stop exploiting them.

**Hon. Mrs. Birch:** That is the member's opinion; it is not mine.

**Mr. Speaker:** Order. The minister is entitled to an opportunity to respond.

**Hon. Mrs. Birch:** I would remind my honourable colleagues across the way that many of the workshops that are available to people who are mentally retarded—grossly retarded—provide an opportunity to learn, to develop, to grow. They are not provided for them as a means of earning a livelihood. Those people are looked after, but it gives them a place to go and to meet other people, a place to have an opportunity to have some socialization, which is something those members do not seem to understand.

#### AMHERSTBURG JUVENILE HOME

**Mr. Mancini:** Mr. Speaker, I would like to direct my question to the Minister of Community and Social Services. Is the minister aware that the ministry has announced the closure of the Amherstburg Juvenile Observation and Detention Home, where children who are wards of the court are sent to spend a particular period of time before the court makes a final decision as to what should



happen to them, or where children who have special difficulties at home are sometimes sent? Why is the minister approving the closure of this Amherstburg detention home, which is in an ideal location and has operated very well and successfully for a number of years?

**Hon. Mr. Norton:** Mr. Speaker, I do not have with me all the details surrounding that decision, although I do have some familiarity with it. I believe I have corresponded with the honourable member on that—perhaps that is not a correct recollection—but the situation there is similar to that in other communities across the province, where observation and detention homes are located. We are trying to locate them as close as possible to the areas they serve and in some instances to reduce the size of those units so they can more effectively serve the needs of the children and the communities. That was one of the major considerations underlying the decision to which he refers.

**Mr. Mancini:** I would first like to say I have not received any correspondence from the minister concerning this matter.

Does it not concern the minister that this detention home would be closed by his staff without his having full knowledge of the matter so that he could respond to questions in the Legislature?

Why is the minister not capable of protecting the disadvantaged people we have to protect in our society? Why is it the minister can allow retarded women to be kicked in the face in his homes? Why does the minister allow foster children to remain in the homes of foster parents when it has been proven they have been molested? When can we expect from the Minister of Community and Social Services some protection for the disadvantaged?

**Hon. Mr. Norton:** I think the honourable member just slipped out. I am not sure what that almost totally incomprehensible question was all about. If he is talking, for example, about individuals being kicked in the head, I think I know the case he is referring to, and I resent the suggestion that I did not take a stand on that issue. I resent any suggestion that I or the staff of my ministry would not take stands to protect the vulnerable people in our society. That is a totally irresponsible question.

#### ITINERANT FARM WORKERS

**Mr. Breaugh:** Mr. Speaker, I have a question for the Minister of Health concerning

the accommodations provided for immigrant farm workers at Thornbury, Ontario. Can the minister explain why the local medical officer of health would refuse a request by Canada Manpower to inspect the premises used as accommodation for black farm workers from the Caribbean? In particular, is he aware that we now have a situation in which black farm workers are expected to live in units that have no running water, no toilet facilities, no shower facilities and holes in the wall?

**Hon. Mr. Timbrell:** Mr. Speaker, first of all, let me give some of the background. Since 1975, the agreement with the Canada Department of Agriculture, I believe, has been that in those cases in which a farmer wishes to bring in itinerant workers the local medical officer of health will be called on to inspect the premises it is proposed will be used.

I do not have all the facts yet—I have had one report—but in this case the medical officer of health apparently received the report and did not refuse but was not able to inspect the premises because the Grey county council had cut his budget in each of the last two or three years and he was short-staffed. That is not an acceptable situation. I wrote to the Grey county council about six weeks ago demanding an explanation, and I hope to have the matter resolved.

**Mr. Breaugh:** Is the minister aware that the farmer in question also happens to be the reeve? Is he aware of allegations that the reeve may have used some influence on the local medical officer of health not to conduct such inspections?

**Hon. Mr. Timbrell:** Let me clear up any possible aspersions on the character of Dr. MacPherson. I do not believe he would succumb in any way, shape or form to pressure of the type suggested by the honourable member. I was not aware of the name of the farmer, let alone his position. I know Dr. MacPherson to be a man of high integrity.

2:50 p.m.

**Mr. J. Reed:** Supplementary, Mr. Speaker: I would like to ask the minister what happens in municipalities that do not have a medical officer of health? Who looks after the inspection then?

**Hon. Mr. Timbrell:** Mr. Speaker, every municipality either has a medical officer of health or, if the MOH has died, retired, resigned or whatever, it has an acting MOH.

### HOSPITAL INTERNS

**Mr. Conway:** My question is for the Minister of Health and it concerns withdrawal of services by the interns and residents.

I want to know if the minister can indicate at this point in time what, other than neutrality, his government is doing and what he himself, together with the Minister of Labour (Mr. Elgie) and the Minister of Colleges and Universities (Miss Stephenson), is doing to end this serious and alarming situation, given the fact that this withdrawal of services now is in its sixth or seventh day and given the fact that there is strong evidence from very good quarters that quality of care is being jeopardized.

Can the minister indicate in his answer specifically what the policy of this government is with respect to the issue, which is, what is going to be allowed by way of a dispute resolution mechanism? What is his policy on that central question?

**Hon. Mr. Timbrell:** Mr. Speaker, first of all, contrary to the honourable member's preamble, there is no indication that quality of care is being undermined. To be sure, a few hospitals have taken steps to reduce elective surgery, but we are in regular touch with all 23 teaching hospitals and we are assured that, with the co-operation of the interns and residents, they are maintaining emergency services and critical services such as intensive care, coronary care units and the like. It is wrong to suppose, and there is absolutely no evidence to support the member's supposition, that the quality of care is being undermined.

Secondly, we convened further meetings last evening, and meetings are going on today. The Ontario Council of Administrators of Teaching Hospitals is in touch this afternoon with the Professional Association of Internes and Residents of Ontario. I am pleased to report that those meetings have resulted in substantial progress. We will keep the members and the public informed.

**Mr. Conway:** Will the minister address himself in this House to the central question; what is this government's position on the main question, which is, what kind of a dispute resolution mechanism is it prepared to allow in so far as the interns and residents are concerned?

Secondly, has the Minister of Health not read in the *Globe and Mail* of Friday, October 31, a letter signed by, among others, Doctors Gold, Biggar and Read from the Hospital for Sick Children which said in

part: "Despite assurances to the contrary, we believe that the public should be aware that such a strike will affect the care of children, and the potential for hazard to patients is real"?

**Hon. Mr. Timbrell:** I am aware of that opinion of three or four of those doctors. I am also aware that the responsible officials of the hospital have indicated to us on a daily basis that they are able to carry on. In fact, that particular hospital cancelled elective surgery for about a day, I believe, but as of yesterday it is back up to full service.

With regard to the first part of the member's question, I believe that will be resolved in the negotiations which are under way and which, as I said, have seen substantial progress.

### GRANTS TO PULP AND PAPER COMPANIES

**Mr. Wildman:** Mr. Speaker, I have a question for the Treasurer. Given that the members of Local 2995 of the Lumber and Sawmill Workers Union have been on strike with the owners of Elk Lake Planing Mill Limited since February 1980, can the minister explain why his government agreed to extend \$3 million in grants and \$5 million in loan guarantees from the employment development fund during September 1980 to the same owners for the construction of a wafer-board mill in Englehart?

**Hon. F. S. Miller:** Mr. Speaker, I would have to go back into the records to see when the decision was made to support the wafer-board plant at Englehart. It is many months ago and I believe it predated the strike. It has been our policy—if the member checks with one or two other areas—to try to stay out of any labour disputes when an EDF request comes in and to await their peaceful resolution before we make a decision. I do not recall anyone mentioning to me that there was a labour dispute at the time the decision was made. Having reached an agreement at the cabinet level, it is often possible for six, eight or 10 months to elapse before a signed contract is made public.

**Mr. Wildman:** I appreciate the minister's comments about the attempt to remain neutral. Since the owners of the company experiencing the strike are the same people who own the company that received the grant, will the minister give us a commitment to suspend any further payment of EDF funds to the owners of Grant Waferboard pending



a resolution of the present labour dispute with the union?

**Hon. F. S. Miller:** I think that would be a relatively unfair position to ask us to enter into for either party's sake in a strike. Surely the member, as a member of his party, believes in the collective bargaining process. Would he like either party to use that kind of influence?

**Mr. T. P. Reid:** Supplementary, Mr. Speaker: I would ask the Treasurer whether he is not concerned that these grants—and that is what they are, with no strings attached—do not require from these firms any kind of social or community responsibility of performance or any guarantees of employment. Does he not feel it is time, particularly when he is giving away taxpayers' money, that there should be some kind of social and community responsibility required of these companies and certain expectations that his ministry requires?

**Hon. F. S. Miller:** Mr. Speaker, I believe the contract is generally signed by the Minister of Industry and Tourism (Mr. Grossman), and I can assure the member that the strings attached are numerous.

#### INVESTMENT COMPANIES' FAILURE

**Mr. Bradley:** A question for the Minister of Consumer and Commercial Relations, Mr. Speaker: Will the minister indicate what he is prepared to do today, November 4, 1980, for people such as Mrs. Pamela Wathen of St. Catharines, who is one of many people who do not have too much money to spare, who lost money in Re-Mor Investment Management Corporation and who are still awaiting word from the minister as to what the provincial government is going to do to compensate those who lost their money, they feel, as a result of negligence on the part of the provincial government?

**Hon. Mr. Drea:** On November 4, 1980, Mr. Speaker, the minister is going to reply as he did, I believe, on October 10, 1980.

**Mr. Bradley:** As I well recall the answer the minister gave on that particular date, does he not agree that Re-Mor Investment Management Corporation was granted a mortgage broker's licence by the provincial government less than two weeks after C and M Financial Consultants Limited, whose chief executive officer, as we know, is Mr. Carlo Montemurro, had its operation suspended? Does he not feel an obligation then on the part of his government to assist those

people who have lost their money, many of whom do not have a lot of money to lose?

**Hon. Mr. Drea:** I believe I discussed that on October 10 as well, but I intend to get the federal government to take care of the entire matter. The member knows that as well as I do. If the federal government had never chartered Astra Trust, there would have been no action.

**Mr. M. N. Davison:** Supplementary, Mr. Speaker: I would like to ask the minister about this statement in which he takes so much pride in when he refused to answer the question last time.

It is clearly a fact that under section 5 of the Mortgage Brokers Act the ministry and the government are liable and responsible. While the minister said they were not liable at the time, he refused to give a single reason why they were not. Will he take this opportunity to explain to the people who have been ripped off because of his negligence why the ministry is not liable under section 5 of the Mortgage Brokers Act?

**Hon. Mr. Drea:** Mr. Speaker, I believe there is a lawsuit directed against the crown on the matter of negligence but once again, if the member wants me to win it in here, I will be delighted. The ministry was not negligent in the issue of the mortgage broker's registration.

3 p.m.

**Mr. Hall:** Supplementary, Mr. Speaker: Do I take it from what the minister said that he is going to get the federal government to bail him out? In the event that he is unable to do so, will he take on the responsibility of taking care of the problem?

**Hon. Mr. Drea:** No, Mr. Speaker, I did not say that. I went over this in October and I pointed out the position of this government in regard to funds that were transferred from Re-Mor Investment into Astra Trust. I believe that was the subject of some litigation by the trustee at some time in the past.

**Mr. M. N. Davison:** Didn't even have the decency to answer a question.

**Hon. Mr. Drea:** What is the member's problem?

**Mr. Speaker:** Just ignore the interjection.

**Hon. Mr. Drea:** I answered the question in some detail in October. I am trying to obey your admonition, Mr. Speaker, to make the answers short and snappy. If the member is never here to hear it, that is not my

problem. In that position in October, I outlined the approaches I intended to take.

**Mr. Hall:** Supposing they fail.

**Hon. Mr. Drea:** I do not think they will fail.

#### ONTARIO SCIENCE CENTRE

**Ms. Bryden:** Mr. Speaker, I have a question for the Minister of Culture and Recreation. I am sure the minister is aware of the allegation by an American visitor in a letter to the Toronto Star last August that there is sex bias in the displays, films and narrations at the Ontario Science Centre. Has the minister asked the centre management to make a survey of all displays, narrations and materials used at the centre to ascertain whether there is an excessive degree of sexism in the exhibits and materials?

**Hon. Mr. Baetz:** Mr. Speaker, I must admit I did not see that letter in the Toronto Star. I have seen hundreds of other letters from Americans who visit the Ontario Science Centre and tell us what a wonderful place it is. I will certainly look into this and report back.

**Ms. Bryden:** In view of the fact that there are thousands of school children who do attend the Ontario Science Centre and who would be affected if there were sex bias, will the minister undertake to have a survey made of all materials, exhibits and narrations?

**Mr. Speaker:** That is just a repetition of the initial question.

#### HALTON FINANCIAL DEFICIT

**Mr. J. Reed:** Mr. Speaker, in the absence of the Minister of Intergovernmental Affairs (Mr. Wells), who has disappeared from our midst, I will direct this question to the Deputy Premier.

Yesterday the Minister of Intergovernmental Affairs refused to grant a commission of inquiry into the deficit of the regional municipality of Halton under the signatures of more than 50 good citizens of Nassagaweya. He explained to us at that time, incredibly enough, that a deficit is not allowed under the legislation that sets up the region.

I wonder if the Deputy Premier will take to the Minister of Intergovernmental Affairs yet another petition, signed this time by 250 good citizens of the city of Burlington, requesting that similar action be taken. They ask that a commission of inquiry be undertaken into the administrative and fiscal

affairs of the regional municipality of Halton, pursuant this time to section 121 of the Regional Municipality of Halton Act.

Will the Deputy Premier ask the minister to reconsider his refusal to grant that commission of inquiry, since this matter is most serious in the eyes of the citizens of the regional municipality of Halton?

**Hon. Mr. Welch:** Mr. Speaker, I will be very pleased to see that the Minister of Intergovernmental Affairs receives the material which the honourable member is now sending over to me. I will leave it to the minister himself to comment on the other part of the question.

**Mr. J. Reed:** I have a supplementary.

**Mr. Speaker:** I want to draw to the honourable member's attention that a supplementary should be as a result of an answer to the initial question. As I recall, the answer to the initial question was that he would draw it to the attention of the minister.

**Mr. J. Reed:** Mr. Speaker, with respect, I think I can justify it on that point.

While the Deputy Premier is presenting that to the minister, will he ask the minister if he can prepare himself to respond to the question on Thursday?

**Hon. Mr. Welch:** Yes.

#### AIR AMBULANCE SERVICE

**Mr. Martel:** Mr. Speaker, I have a question for the Minister of Health. As a result of a question I put to him several weeks ago regarding air ambulance service, he indicated he was going to make a statement in the Legislature as to precisely what that policy was going to be, because of the difficulty many of us were having with air ambulance service and the payment by the Ontario health insurance plan. Is the minister prepared to make that statement now, or if not, when?

**Hon. Mr. Timbrell:** Mr. Speaker, I thought my undertaking was to send it to all the members, and it is being prepared.

**Mr. Foulds:** Supplementary, Mr. Speaker: Is the minister prepared to change the rigid, bureaucratic, three-point guidelines that the ministry has been using with regard to transportation costs, particularly on the return journey for someone who has been referred to a medical centre like Toronto for essential services not available in the north?

**Hon. Mr. Timbrell:** Certainly, Mr. Speaker, as we introduce the fixed-wing aircraft into the system in the months to come, it is our



hope that we will be able to co-ordinate that in such a way as to have it travelling back and forth with as many passengers as possible. The general policy is one we have discussed many times before and we have no plans to alter the overall policy.

### CHRONIC CARE FACILITIES

**Mr. Ruston:** Mr. Speaker, I have a question for the Minister of Health. Is the minister aware that the waiting list for chronic beds in Windsor and Essex county has doubled within the last year, and is he taking any steps to see that the 70 chronic care bed patients who are now in active care beds and 28 patients in nursing homes who are waiting to be readmitted to chronic care beds are taken care of?

**Hon. Mr. Timbrell:** Not long ago, Mr. Speaker, I approved an additional 100 nursing home beds for Essex county. I am not sure whether the advertisements have gone out yet for that competition but, if they have not, they will be very shortly. I think, with the additional nursing homes beds for the county, that first of all will relieve some pressure.

Second, the chronic home care program is just getting under way in Essex county, which should have a salutary effect on the waiting list.

Third, I believe the health council in that area is doing a review of the long-term care needs. There will always be some waiting lists; it is not conceivable we will ever get the situation where there is simply no waiting list but, if they get to be inordinately long, the council will be recommending, based on that review, additional facilities.

A number of initiatives have already been taken in the area, such as the additional nursing home beds and the chronic home care program.

### HENRY KOWALSKI

**Mr. Breagh:** Mr. Speaker, I have a question for the Minister of Health. On October 30 I asked the Premier (Mr. Davis) about the circumstances surrounding one Henry Kowalski, who has been incarcerated in our mental health system for more than 12 years. The Premier indicated the minister would give us a reply yesterday. Is he prepared to answer that question today?

**Hon. Mr. Timbrell:** Mr. Speaker, as I understood it, one of the honourable member's concerns was under what authority the gentleman in question continues to be de-

tained. The authority is under the Mental Health Act with respect to involuntary committals.

The second matter had to do with the whole question of whether he should be at Penetanguishene. I have asked the regional review board in that area to conduct a special review of his case and to advise on whether he should continue to stay at Penetanguishene or whether some other setting in the mental health system—potentially, I suppose, even including absolute release back to the community and his family—would be more appropriate.

**Mr. Breagh:** Is the minister now prepared to proclaim that section of the Mental Health Act which would provide for notification to the local legal aid society in the case of an involuntary committal?

**Hon. Mr. Timbrell:** My apprehension about the question of confidentiality of an individual, which I hope members will accept as genuine, is as real today as it was when we discussed it two and a half years ago.

3:10 p.m.

Two things: I do not want to stall on that forever because I do not think it is appropriate, I hope the report of the Krever commission will be out in the not-too-distant future—

**Mr. Conway:** Before the millennium.

**Hon. Mr. Timbrell:** Before the millennium, yes. It will deal with this among many other questions of confidentiality.

Second, based on the legal task force report, a component of the Ontario Council of Health review of mental health services, we are working on a white paper on further amendments to the Mental Health Act which will be coming out as well in the not-too-distant future.

**Mr. Conway:** Supplementary, Mr. Speaker: The Kowalski case speaks to the very considerable apprehension felt by many in this Legislature and in the health-care community generally about the amendments that were represented in Bill 19 two years ago. As I recall, a commitment was made by this minister to bring that bill back for a review not later than 18 to 24 months after proclamation. In the light of the evidence the Kowalski case speaks to, is he prepared to undertake to bring back that Mental Health Act for some kind of review to see how those new sections are working?

**Hon. Mr. Timbrell:** I will have to check the record, Mr. Speaker, but I believe I in-

dictated that Bill 19 was not and should not be considered to be the end of the process of updating the Mental Health Act. Second, at that time, the council of health task force on mental health services under Professor Abbyann Lynch at the University of Toronto was at work and has since reported, including a report on the act itself. It was a legal task force, a legal subcommittee. That has spawned a white paper, which we are developing and which we hope we will release within the next two months, dealing with all of these issues.

### BRUCE TEACHERS' DISPUTE

**Mr. Sargent:** Mr. Speaker, I have a question of the Minister of Education. I am getting scores of calls every day from people in the Bruce area asking what I am doing about the strike. I do not know what the hell to tell them. The feeling up there is that enough is enough. We have enough problems up there now. We want to organize tuition for students from seven to nine in the evenings. Do we have to bring 1,000 students down here to tell the minister we are fed up with the whole system? Why cannot she legislate these teachers back to work and get on with the business of educating our kids?

**Hon. Miss Stephenson:** Mr. Speaker, I believe the honourable member knows that this afternoon I will be meeting a group of individuals from Bruce, concerned parents and citizens in the area, who wish to present me with some further information which they feel is important.

The conditions under which negotiations take place, as I have said before in this House, involve the assumption of responsibility by both parties. One of the happy features in the Bruce situation is that the board has suggested it would move to voluntary arbitration, and did agree to do that. One of the most experienced, and certainly one of those applauded most highly by the members of the official opposition in his capacity as a mediator, fact-finder, assessor, has been ready to function on behalf of both parties in that disagreement to develop a negotiated settlement. He has been standing ready since the strike began. That offer is there. Mr. Teplitsky is ready to assist the parties. I would hope, through pressure the local member might bring to bear on certain of the local individuals, to bring the members of the teaching profession at least to an agreement that they could support arbi-

tration or that they would go back to the negotiating table.

### FEDERAL BUDGET

**Mr. S. Smith:** On a point of order, Mr. Speaker: On Friday, the Minister of Energy (Mr. Welch) was supposed to address this House with regard to his response to the federal budget, which was described by the Treasurer (Mr. F. S. Miller) as a federal energy policy, but the Premier (Mr. Davis) said to the House, "although the Minister of Energy was to make a statement, I have asked him to make that statement early next week," so the Premier could respond to Mr. Lougheed's comments. "Early next week," it seems to me, was yesterday or today. I feel a number of us have been waiting for the response by the government of Ontario to the energy policy of the federal government.

It is very difficult for us to believe that Ontario has changed its response as a consequence of Mr. Lougheed's comments. Surely it should have been ready to say whatever it wanted to say about the federal budget before now. Why have we not heard that statement?

**Mr. Speaker:** The Deputy Premier and the government House leader are responsible for ordering the business of the House. If they have nothing to say, we can go on to something else.

**Hon. Mr. Welch:** Mr. Speaker, by way of explanation I might say that since Friday's statement of the Premier there seems to be some indication that perhaps there would be some renegotiation of some aspects of the package. It was felt at this stage that we would defer any comment pending the outcome.

**Mr. S. Smith:** What about the Premier's speech? Has he changed his mind about it?

### NOTICE OF DISSATISFACTION

**Mr. M. N. Davison:** Pursuant to standing order 28(a) I wish to give notice of my dissatisfaction with the response to my question by the Minister of Consumer and Commercial Relations (Mr. Drea) and to announce my intention to raise the matter upon the adjournment of the House.

**Mr. Speaker:** Notice has been given of this and the matter will be debated at 10:30 p.m. tonight.

**Hon. Mr. Drea:** Mr. Speaker, I find that very unusual from the honourable member. He knows I cannot be here tonight. We have even moved up one of my bills.



**Mr. M. N. Davison:** I would be satisfied to be here Thursday night.

**Mr. Speaker:** Agreed; so ordered.

## REPORT

### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Gaunt from the standing committee on social development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Community and Social Services be granted to Her Majesty for the fiscal year ending March 31, 1981:

Ministry administration program, \$19,891,000; adult services program, \$1,064,999,000, and children's services program, \$369,919,000.

## MOTION

### HOUSE SITTINGS

Hon. Mr. Wells moved that as Monday, November 10, is municipal election day and Tuesday, November 11, is Remembrance Day, when this House adjourns on Friday next, November 7, it stand adjourned until Thursday, November 13; but this motion will not affect any committee meetings scheduled for Wednesday, November 12.

Motion agreed to.

## INTRODUCTION OF BILLS

### EDUCATION AMENDMENT ACT

Mr. Dukszta moved first reading of Bill 179, An Act to amend the Education Act, 1974.

Motion agreed to.

**Mr. Dukszta:** Mr. Speaker, the bill sets forth the procedure for the establishment of heritage language programs in order that the heritage language may be taught as a language of instruction, as a subject of instruction, and as a language of instruction for the purpose of transition to English or French.

### BOROUGH OF YORK ACT

Mr. Young, on behalf of Mr. MacDonald, moved first reading of Bill Pr46, An Act respecting the Corporation of the Borough of York.

Motion agreed to.

**Mr. Young:** This bill entitles the borough of York to pay compensation to the widow

of an employee who is killed in an unfortunate accident during his employment.

**Mr. Speaker:** Bills of that nature do not require an explanation.

3:20 p.m.

### JEWISH FAMILY AND CHILD SERVICE OF METROPOLITAN TORONTO ACT

Mr. Rotenberg moved first reading of Bill Pr45, An Act respecting the Powers of the Jewish Family and Child Service of Metropolitan Toronto.

Motion agreed to.

## ANSWERS TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Wells:** Mr. Speaker, before the orders of the day I would like to table the answers to questions 227 and 228, 231 and 232, 298 and 359 standing on the Notice Paper. (See appendix, page 4070.)

## BUSINESS OF THE HOUSE

**Hon. Mr. Wells:** I would also like to inform the House that tonight, time permitting, in addition to the order of business announced last week, we will be considering Bill 167, An Act to amend the Chiropractic Act, following the bills that were on the list.

## ORDERS OF THE DAY

### CITY OF LONDON ACT

Mr. Breithaupt, on behalf of Mr. Van Horne, moved second reading of Bill Pr21, An Act respecting the City of London.

Motion agreed to.

Third reading also agreed to on motion.

### CITY OF SAULT STE. MARIE ACT

Mr. Rotenberg, on behalf of Mr. Ramsay, moved second reading of Bill Pr28, An Act respecting the City of Sault Ste. Marie.

Motion agreed to.

Third reading also agreed to on motion.

### CITY OF HAMILTON ACT

Mr. M. N. Davison, on behalf of Mr. Mackenzie, moved second reading of Bill Pr30, An Act respecting the City of Hamilton.

Motion agreed to.

Third reading also agreed to on motion.

## CITY OF MISSISSAUGA ACT

Mr. Rotenberg, on behalf of Mr. Jones, moved second reading of Bill Pr32, An Act respecting the City of Mississauga.

Motion agreed to.

Third reading also agreed to on motion.

## MARY AGNES SHUTER ESTATE ACT

Mr. Nixon, on behalf of Mr. G. I. Miller, moved second reading of Bill Pr33, An Act respecting the Estate of Mary Agnes Shuter.

Motion agreed to.

Third reading also agreed to on motion.

## THEATRE PASSE MURAILLE ACT

Mr. Warner, on behalf of Mr. McClellan, moved second reading of Bill Pr34, An Act to revive Theatre Passe Muraille.

Motion agreed to.

Third reading also agreed to on motion.

## GOULD'S DRUG STORE LIMITED ACT

Mr. Rotenberg, on behalf of Mr. Williams, moved second reading of Bill Pr35, An Act to revive Gould's Drug Store Limited.

Motion agreed to.

Third reading also agreed to on motion.

## CITY OF NORTH YORK ACT

Mr. Rotenberg, on behalf of Mr. Williams, moved second reading of Bill Pr37, An Act respecting the City of North York.

Motion agreed to.

Third reading also agreed to on motion.

## BOROUGH OF ETOBICOKE ACT

Mr. Rotenberg, on behalf of Mr. Leluk, moved second reading of Bill Pr38, An Act respecting the Borough of Etobicoke.

Motion agreed to.

Third reading also agreed to on motion.

## CITY OF OTTAWA ACT

Mr. Breithaupt, on behalf of Mr. Roy, moved second reading of Bill Pr39, An Act respecting the City of Ottawa.

Motion agreed to.

Third reading also agreed to on motion.

REGISTERED INSURANCE BROKERS  
OF ONTARIO ACT

(continued)

Resuming the adjourned debate on the motion for second reading of Bill 118, An

Act respecting the Registered Insurance Brokers of Ontario.

Mr. Germa: Mr. Speaker, where is the minister?

Mr. Speaker: He is coming.

Mr. Germa: The House will recall that on June 19, at high noon, we were discussing this Bill 118, An Act respecting the Registered Insurance Brokers of Ontario. We have had the summer and part of the fall now to consider this bill. We did intimate we were in support of the bill, with certain reservations.

I would like to point out that an insurance agent or a broker, when placing a policy, has certain responsibilities to the person paying the premium. I do not know whether putting the agents under a self-licensing, self-governing, self-policing body is really going to impress upon the agent that he has a duty of care to be provided to the person who, in some cases, pays the substantial premium.

3:30 p.m.

In the first report of the select committee on company law, chapter 28, page 211, the committee made an observation which was identified in a court case in *Fine's Flowers Limited* versus *General Accident Assurance Company of Canada*.

The Honourable Mr. Justice Fraser found "that it is wholly unrealistic to say that an agent is acting gratuitously where the insured, who is getting insurance from him, is relying on his advice as to the company in which to insure, the coverage and particular type of policy and where the insured is paying a substantial premium from which the agent is to be paid his commission." He accordingly found "that such an agent owed a duty of care and skill to the insured and imposed a liability upon the agent where there had been a failure to fulfil that duty."

There is a tremendous volume of premium being collected by agents and brokers across Ontario. I would take this opportunity to impress upon the agents and brokers that the public is recognizing more and more every day, with prodding by governments at all levels, that the consumer demands and expects service for value. When the consumer puts out a dollar, he expects performance not only in the goods he buys but in the performance of the person who is supplying the goods or services.

In the case of insurance, that is equally important despite the fact that one is not



getting a commodity in the sense that one is buying something he can pick up in his hand and evaluate. He is buying a service, an insurance or protection against a catastrophe. In some cases, these catastrophes could be very onerous on the person who has sought to protect himself by some sort of a policy, be it automobile insurance, fire insurance, accident and sickness insurance or any other kind of insurance. The objective of the person paying the premium is to relieve himself of risk at the best possible price and to guarantee that when the claim is made the claim shall be adequately paid. I think it is incumbent upon the agent or broker to ensure that this level of service is maintained.

One of the other duties of the agent or broker recognized by the select committee on company law was identifying the risk to be insured. This is a particular weakness I have noted, particularly in the sale of life insurance, where an agent, because he is on a commission, is overzealous in trying to place a policy. His income is tied into the premium.

I suspect, and in fact I know, some of my friends who are of modest income are over-insured. They are identified as insurance poor. They were going to be very rich men when they died, but in the interval while they are paying the premium they hardly have enough money to maintain their families. I am sure you and I, Mr. Speaker, have talked to people such as that. They have told us what sort of coverage they have. They are going to leave some very rich and comfortable widows but, unfortunately, they are not looking after the present-day needs of their families.

I think that is one of the weaknesses of the present system of remuneration to the insurance agent. He is on a commission basis and tends to try to maximize his income by overselling. In the case of selling automobile insurance, his commission rate is 10 to 15 per cent. In property lines, the commission falls in the area of 20 to 25 per cent and it is variable on other lines of property and casualty insurance. The amount of the policy, the amount of the premium, has a direct relationship to the agent's income. The agent, being human, will try to maximize his income.

There is no legislation we can pass to protect the consumer from that while that method of payment is in place.

Evaluating and measuring the risks in the case of, let's say, fire insurance, it is quite

possible if you take the word of your agent—and a lot of people will do almost anything the agent suggests or recommends—that a person might be paying a premium on an evaluation of a property which is not realistic when the time of claim comes. A person might be paying a premium on a fire policy on a house with an evaluation of \$100,000 and the house does not have that value on the marketplace; therefore, he is insuring a risk that is really not there.

Another responsibility of the agent, as identified by the committee, was reviewing, evaluating, recommending or advising on contracts of insurance, and transmitting applications for a policy or negotiating contracts of insurance with insurers. While under the present system of the tied agent, in which most agents represent and are sponsored by one company, there is no way the agent can negotiate on behalf of the person paying the premium, certainly this legislation releases and frees the so-called independent agent so that he is not liable or responsible to any one particular insurer for the continuance of his licence under the present system. Of course, if the sponsoring insurance company finds disfavour with the agent, it can withdraw this sponsorship, and without sponsorship the agent is without a licence; it is that simple.

So to that degree, the legislation has some merit. To free the agent from the domination of the insurer is the reason we in this party are choosing to support the legislation.

I am glad to see the term "independent agent" is not in the new legislation. The word "independent" had a false connotation in the past. The consumer was of the opinion that the independent agent was an independent person working on behalf of the premium payer, while nothing could have been further from the truth; he was, in fact, an agent tied to sponsorship. So those two things go hand in hand.

Under the legislation, I believe the exclusive agent will remain in the same category. He is an employee of a direct-seller insurance company. The insurance company accepts liability and responsibility for him. I presume he will have to qualify for a licence under the new legislation in order to participate in the sale of life insurance.

With those comments, I look forward to the passing of this legislation and the setting up of this agency to license, police and administer the affairs of the insurance agents and brokers in Ontario.

Ms. Bryden: Mr. Speaker, this bill seems to be an example of the Liberals in bed with

the Conservatives, because the spokesmen for both parties last June tried to railroad it through on the last day of the session, less than two weeks after it was introduced. Fortunately, there were enough speakers to use the time available on such a busy day and the bill is now before us for more consideration. I think we are fortunate to have time to look at some of the flaws in it.

3:40 p.m.

Our speakers questioned a number of features in the bill. They argued that since there appeared to be serious flaws it must be examined very carefully, and urged that the bill be referred to a standing committee of the Legislature for such examination and for public hearings. I am glad we did not railroad it through last June so that those public hearings would have been obviated.

The government holds this bill up as model deregulation legislation and as a model bill for self-government of an industry. That is all the more reason for proceeding slowly on the bill and providing adequate opportunities for insurance agents and the general public to comment on it before a committee.

I understand most of the consultation on this bill, such as it was, was made with the existing insurance agents' organization and the insurance brokers' organization. The two have now come together in one organization known as the Registered Insurance Brokers of Ontario. I do not think many individual agents who do not belong to those organizations were consulted; I do not think the public was given an opportunity to appear and discuss the proposal.

That is why we say this bill must be referred to those kinds of hearings after second reading. I hope any party that supports second reading will support it on the understanding that it must go out to public hearings. Otherwise we are moving in the dark, we are moving without knowing what the public wants, we are moving without consulting consumers, who also have an interest in this legislation. The legislation must strike a balance between the interests of consumers and the interests of the agents.

I have had some agents approach me and say: "Is this legislation necessary? Could we not just declare that the term 'independent agent' be changed to simply 'insurance agent' in the present law and this would free them from being tied to an insurance company?" Perhaps we could state in the legislation that no insurance agent is tied to an insurance company, that they have the right to sign any number of contracts with any number of

companies on agreed commission rates. We would achieve a lot of the objectives of the legislation that way. I think we have to look at whether the legislation is really necessary and whether it is going to achieve what most people think is desirable, that insurance agents do become really independent. At the present time they are tied to companies.

Some of the other concerns that have been expressed to me are that this will probably add to the costs of the average insurance agent, particularly sole agents who have a heavy overhead, who do not share it with large companies, who are hit right now with rising inflationary costs for everything else in the business, and who are having difficulties just keeping up with inflation and managing to continue to make a profit.

Those agents fear the licence fees and the possible bonding requirements for their entire staff will add greatly to the costs. At the moment they pay a licence fee for their staff but they will have to register them as brokers under this legislation and there will likely be an additional fee for that. The costs to the agent are something that should be looked at. They were rather quickly glossed over by the minister in his opening speech last June. I did not hear any concern expressed by the Liberals, either, about the cost to the individual agent of going into this kind of elaborate organization.

Other concerns are whether there will be adequate consumer representation on the various bodies that are set up under this legislation. If it is just token representation, then the legislation is not establishing a fair way of regulating the industry. We know that some regulatory bodies, such as the College of Physicians and Surgeons of Ontario, tend to favour the providers of the service rather than the consumers of the service.

There must be adequate representation for consumers on these various bodies. There is to be one body for licensing, one for complaints and one for discipline, and there is to be an overall council that sets up these three bodies. On all of these bodies, there must be consumer representation. It is possible that certain consumer organizations could be asked to nominate people for some of these positions so that they would represent a large body of opinion.

There should also be a right of appeal from some of the decisions of these committees if the person who makes the complaint or the person who is disciplined feels he or she has not had a fair hearing. There must be an opportunity to appeal.



For those reasons, I will support the bill going through second reading. But I will support it only in the hope that it will go to committee and that there will be public hearings so that we can hear from all the diverse groups who have not yet been heard from on this bill.

**Hon. Mr. Drea:** Mr. Speaker, I am not going to be long on this matter. I think the remarks I made upon introduction of this bill and at the start of debate on second reading of the bill have been more than adequate.

The bill does give statutory authority regarding the duty of the broker to the public. The duties are defined, as well as the misconduct, in the proposed regulations. These have been circulated to all the brokers and agents, and they have accepted those terms and conditions.

I think it is unfortunate that there were a couple of references to the life insurance industry today. I want to make it abundantly plain that this does not involve the life insurance industry at all.

In terms of commissions and so forth, the proposed duties require the broker to put the interest of his client first; otherwise he is subject to discipline.

I welcome the bill's going to committee. But I hope the committee hearings will be efficient; that they will not be a long drawn-out affair. I am sure the members are aware it was the agents and brokers of this province who developed this bill. The bill, both conceptually and in draft form, was taken to every area of the province. It was probably the most comprehensive review of a bill ever undertaken in a reasonable period of time. I am not talking about comments requested by mail; I am talking about actual physical presentations where there could be dialogue and questions and answers.

I tell the member for Beaches-Woodbine (Ms. Bryden), they accepted input there; there were some changes made.

When these sessions were held, they were advertised; they were not held in the back room of a hotel. They were held quite openly. I, as minister, am bewildered when people come forward and say, "Gee, I never got notice."

Certainly an opportunity before a standing committee of the Legislature is very desirable.

3:50 p.m.

**Mr. M. N. Davison:** I am glad to see you have changed your mind on that.

**Hon. Mr. Drea:** No, I have never said anything about it.

**Mr. M. N. Davison:** You are the one who tried to ram it through on the final day of the last session.

**Hon. Mr. Drea:** I did not interrupt over there.

**Mr. M. N. Davison:** You interrupted all through my remarks on June 19.

**Hon. Mr. Drea:** For the record, I did not attempt to railroad anything. But I remind the member for Hamilton Centre that one of the criticisms about his performance that day was the allegation, which he has not yet denied, that he had not read the bill. That did not come from me. That may shed some light on the quality of the debate that day. I never tried to railroad legislation.

**Mr. M. N. Davison:** You certainly did. You told us we would rue the day if it did not pass.

**Hon. Mr. Drea:** I must say that some of the conversions today to the idea that this is a good bill, to one reasonably reading the debates of last June, are not quite as dramatic as that at Damascus, and maybe not quite as fast, but somebody's lightning bolt came down and hit somebody over there. But enough of the barracking.

This is really a very historic day in this Legislature. We are about to pass, I presume, Bill 118. There have been some references to it as a model of the deregulation process. It obviously has to be the model for the deregulation process, because to my knowledge it is the first time in any Legislature on this continent, all 62 of them, where a totally regulated industry is in the process, not of being deregulated, which is a very negative term but of experiencing a transfer of authority.

Those responsible for the day-to-day affairs of the insurance industry, on the basis of their experience, on the basis of their maturity and on the basis of what they want to do—not for the industry or for themselves, but for the totality of their operation—will be accepting responsibility for better service, higher quality and all the things that go into making a business community a much better place for both those who work in it and those who purchase the product.

It is on the basis of their desire to accept responsibility that we in the Legislature of Ontario have moved to this point. I think it is very significant. I hope that in the economic or social histories of the province this date, this particular time just shortly before four o'clock, will receive much mention.

I would draw to your attention, Mr. Speaker, that we have a number of people with us

who have been directly concerned with this bill. I suppose that is a bit unusual, because invariably the people who are concerned with bills are to your right and slightly behind you on the Treasury benches. But this was a whole new approach because, quite frankly, it is a whole new initiative. We have with us Mr. Jamieson, who is the president of the Independent Insurance Agents and Brokers of Ontario; Mr. Aldrich, a director of the Registered Insurance Brokers of Ontario; Mr. Lambie, the president of RIBO; Mr. Strung, the legal counsel of RIBO; Mr. Coghill, the manager of RIBO; Mr. Upjohn, a director of RIBO; and Mr. Cunningham from the Canadian Federation of Insurance Agents and Brokers Associations. The reason I mention their names is that I believe credit should go where it is deserved and should be shared.

I am very confident that this bill, which really begins the formal operation of RIBO, will not just be a model for alternatives to total regulation, self-regulation or deregulation, but indeed will be a model for conduct, initiative and innovation in the marketplace.

I commend the insurance agents and brokers of this province who a little under two years ago accepted the challenge to bring forward proposals to the government. They did that. They have had meetings, hearings, dialogues and inputs. Name the event and they have had those across the province. On many occasions the efforts have been somewhat frustrating, because it is not simple to unravel a century of regulation if you are going to provide the consumer and marketplace with something better than what is there.

I draw to the attention of this assembly that they have yet to send the taxpayers a single bill for that work. They made their own contribution, not only in time, sacrifice and travel but also in paying for it.

I look forward to the final passage of this bill in this session. I also look forward to the fact that this licensing year, which commenced October 1, 1980, and will extend until September 30, 1981, will be the final licensing year in which a certificate or authorization to sell general lines of insurance is issued by the province, by the Ministry of Consumer and Commercial Relations or by the superintendent of insurance. Commencing October 1, 1981, with the passage of this bill, the authorization will be from the Registered Insurance Brokers of Ontario.

Motion agreed to.

Ordered for standing committee on administration of justice.

**Mr. Breithaupt:** Mr. Speaker, about the agreement in that matter, I note that the estimates of the minister probably will be completed on Friday. Will the minister be attempting to have this bill brought forward to the justice committee in the hope of starting next Wednesday, November 12? Is there some possibility of that?

**Hon. Mr. Drea:** Mr. Speaker, I am prepared to move as quickly as possible. I think it depends upon the justice committee. I draw to the attention of the House, and I would like it on the record, that as usual, I am before two committees. There is a select committee on plant shutdowns and employee adjustment.

While I am not the primary minister there, nor will I be for the ensuing two or three weeks, I may very well be in those proceedings towards the end of November and throughout December, because there is a commitment for introduction and passage of certain amendments to the Pension Benefits Act. I would hope that the justice committee could handle this matter relatively efficiently.

**Mr. M. N. Davison:** I think it is up to the justice committee to arrange and order its own business, and I am sure its members will do that to the best of their ability. However, if I could pass on a bit of advice to them, I think it would be wise for the committee to notify people in the industry by way of advertisement or any other appropriate means, of this opportunity to come before a standing committee of the assembly to discuss the bill. I would put that on the record.

**The Deputy Speaker:** I think the House leaders and the committee can work this out.  
4 p.m.

#### JURIES AMENDMENT ACT

Mr. Sterling, on behalf of Hon. Mr. McMurtry, moved second reading of Bill 168, An Act to amend the Juries Act, 1974.

**Mr. Sterling:** Mr. Speaker, I am going to confine my opening statement to basically a recap of the statement that was made on the first reading of this piece of legislation.

The bill covers three areas. First of all, the bill removes the statutory ineligibility of the clergy to serve on juries, but it provides them with an opportunity to go before a judge and state that their beliefs are in conflict with the duty of serving on a jury.

The bill also permits jury service to be deferred where the service would result in



serious hardship to jurors or to others. This was introduced basically to alleviate a condition where an employee or perhaps the owner of a small business would not be able to attend at a certain time for jury duty. It also covers a situation where a mother would be unable to provide care for her children at a particular time and would therefore request a deferment of her obligation to serve on a jury.

The bill also removes the disqualification of blind persons and persons 70 years of age and more from their obligation and privilege to serve on a jury. Finally, perhaps a more important part of the bill provides for protection of the employment status of persons summoned to serve as jurors from time to time.

The bill is fairly straightforward, but I would be happy to answer questions from opposition members and quite willing to listen to their suggestions.

**Mr. Breithaupt:** Mr. Speaker, I am pleased to speak in favour of Bill 168 on second reading, particularly as we look to next year as being the United Nations International Year of Disabled Persons. The pride of a blind person to have the choice as to whether or not to serve on a jury is something we should encourage. Historically, blind persons have been ineligible to serve and this will at least make the option of service their own decision. Some may feel quite comfortable and capable in accepting the opportunity for jury service, while others may prefer not to, and that is just fine if it is their individual decision and not something imposed upon them by others who have traditionally thought they knew what was best.

In addition, the individual 70 years of age or over may well feel an interesting experience and a rather useful opportunity would result from a personal decision to serve should he be chosen to serve on a jury panel. The growing number of senior citizens within our community who have not only a great interest in how our society is operated but also great experience to offer in that area of service is something of which we should take advantage. Again, the removal of this automatic ineligibility provision is welcome.

The circumstances with respect to members of religious orders fall in the same category. They will no longer be automatically ineligible, but the matter will be allowed to develop as their choice may occur and as they may be chosen so far as a jury panel is concerned. Certainly these amendments are worthwhile. We welcome the introduction of them and we will support the bill.

**Mr. Warner:** Mr. Speaker, I am pleased to rise on behalf of my party and indicate we will be supporting this bill on second reading. There are a couple of principles involved here that are certainly worthy of support, and we are pleased to see them come forward at this time.

One, of course, is the notion that people who are not fully sighted would have the opportunity to serve on a jury. I think it is fair to say some members of the legal profession will have qualms about how this is going to work in a practical sense.

Some members may argue that in cases where physical evidence is of primary importance and crucial the person who is blind will be at a disadvantage. There is the counterbalancing argument that while a person does not have his or her sight, he or she likely has more acute hearing to compensate in that regard and is more likely to pick up intonations and inflections in the voice that will offset whatever has been lost by not having sight and not being able to look at the physical items that have been introduced into the case. On balance, I feel confident the experience will be that blind jurors will serve well.

It should not be forgotten that we are looking in practical terms at one such person on a jury with 11 others; so a balanced view will come forward. What I am hoping also is that it has opened the door a bit on how we can ensure that all people who have a disability of one type or another, a physical impairment, will have an opportunity to serve in what is one of the most important functions we have in our society.

Our system of justice is very much dependent on a jury system. The whole notion of being tried by one's peers and having ordinary citizens examine one's situation when one has been charged is of prime importance and is crucial to our system of justice. Every opportunity we have to broaden the scope of those who can and will be allowed to serve is a laudable one. I, for one, appreciate the fact that the government has brought this forward. I understand it was also a recommendation from the advisory committee on the handicapped. They supported this proposal.

The removal of the age restriction is also an important one. Throughout the 1970s and certainly into the 1980s, we are beginning to learn that people who are senior citizens can make a tremendous contribution in their retirement years. They have made a tremendous contribution, obviously, through their

65 years of life. They have built the country and they have sustained the country through troubled times and times of depression and war. Through that period of our history, they were the strength and backbone of our country. Suddenly when they become older, as a society we say they are no longer very important and we remove them from a lot of the important aspects of our life in society. This is just one small measure in allowing and saying to senior citizens we want them to participate in society as much as they wish to and as much as is physically and humanly possible. That is a good criterion and one that should be fostered.

I made some inquiries amongst some people who are members of the bar with respect to having justices of the peace being eligible to serve. The consensus I got was that that made sense. One could construe that there would be a conflict of interest, or at least the appearance of a conflict of interest, to have justices of the peace serving. From my limited knowledge, I would agree with that.

4:10 p.m.

Another principle involved in this bill is that of guaranteeing the leave of absence from employment that is obviously overdue. In today's society, with employment being so tenuous, particularly in this province, it just does not make any sense to think that someone who is serving in what we acknowledge to be such an extremely important aspect of our judicial system should face the possible jeopardy of his employment. Perhaps it is an oversight, but I wish the government had gone the one further step that is so important, particularly to the people whom I represent, to ensure that there should not be a loss of income because of that service on a jury.

At the proper time, I will be moving an amendment that will correct that oversight. I forwarded the amendment to the Attorney General last week to try to give us as much advance notice as I could so that everyone involved would know what amendment I would be placing.

A very sound principle is, if someone is going to serve in such an important aspect of our judicial system, their employment should be guaranteed and they should continue to receive their salary. There is an automatic question as part of that principle; that is, what about those people who are non-salaried, such as women whose normal duties are in the home in a nonsalaried situation? In many cases they have several children. They

have a home that they are responsible for, children who may be preschoolers or may be at school. What sacrifice do they make? They obviously make a financial sacrifice because, when they are serving on a jury, in many cases a homemaker must be in the home to prepare the meals for the children and make sure that the household continues to function in a normal way. I will be moving an appropriate amendment to that effect as well. I imagine, since it was an oversight, that there will be unanimous approval and, of course, I will appreciate that.

Basically, as has been pointed out, the principles embodied in this bill are good, sound ones, and ones worthy of support; they just need a little bit of refinement and improvement. When we get to the committee stage, we will all have the opportunity to do that and of course then all of us can share in the glory that will come from that as the citizens of Ontario praise us for our efforts.

**Mr. McGuigan:** Mr. Speaker, I rise to support Bill 168, an Act to amend the Juries Act, 1974, and I wish to thank the Attorney General, through his parliamentary assistant, on behalf of those people affected by this badly needed reform. It is a matter of personal pride and satisfaction to see that the government accepted my private member's bill, Bill 148, An Act to amend the Juries Act, 1974, which was presented in the last session of the 31st Parliament.

The government bill goes beyond my bill, and I certainly concur with and appreciate those items. There is no reason to go over them because they have already received adequate recognition.

In a general way, I can say that the act recognizes the rights of disabled people and brings to a very important area in our democratic society their value and worth as human beings. I think it recognizes in the case of blind people their special sensitivity to perceive concepts and ideas that sighted people may overlook. The member for Scarborough-Ellesmere (Mr. Warner) has already mentioned that.

When I was doing research for my private member's bill, I found that those who objected to this legislation based their objection on the premise that a juror must see to assess the veracity of the witness through his or her deportment and general appearance. Perhaps a good actor, one well skilled in the attributes, could fool sighted people whereas he could not fool a blind person who relies upon the inflections and the manner of presentation that is done verbally. I suggest



that a blind person on a jury may bring some balance and expertise that is not otherwise available.

Comprehensive antidiscrimination legislation in the United States has enabled blind jurors to serve in Michigan, New Jersey, Utah, Colorado, Washington and California. As well, blind lawyers, blind prosecutors and blind judges serve in US courts. In Canada, however, Quebec and Newfoundland are the only provinces to consider blind persons eligible for jury duty. We are happy that Ontario now becomes the third province to do so.

In doing research for my bill, I got a letter back from a judge in Washington, D.C. I have asked my colleagues in the legal profession whether this applies to Ontario, and they assure me that it does. It is only a page and a half, and I would like to read it into the record. The letter is dated June 27, 1980, and it is addressed to our researcher Miss Jane Oppen:

"You have asked me for my comments on the subject of blind persons serving as petit jurors. I am pleased to share with you my views on the subject.

"In my opinion, an opinion which is based upon my experience as a trial judge presiding over numerous jury trials and criminal cases and my experience with blindness, a blind person is fully capable of serving as a petit juror in the vast majority of cases.

"In our practice, the evidence, the arguments and the jury instructions are presented to the jury orally, and there is nothing whatsoever for the juror to visualize and read. Even in those cases where exhibits are introduced into evidence and are given to the jury during deliberations, there are never 12 copies—that is, one for each juror—"one or another juror normally reads aloud from written exhibits.

"The assertion that a juror can only assess the credibility of a witness by seeing them is utter nonsense. In a very small percentage of cases visual aids are used either as evidence or as demonstrations. In such cases, the blind person would probably not be competent to serve as a juror. An obvious example is a case charging the defendant with activities relating to illegal obscene motion pictures. In such cases, it may be crucial for the jury itself to view the film.

"In that small percentage of cases not suitable for blind jurors, a trial judge can determine the fact in advance of trial. The trial judge normally knows from pretrial

hearings the nature of the case and the type of evidence which will be introduced.

"So the determination about whether a particular human being is competent to serve on a jury can easily be made and should be made on a case-by-case basis. There is no justification whatsoever that I can imagine which would warrant the blanket exclusion of blind people from serving on petit juries.

"I hope this answers your inquiry."

It is signed: "Sincerely, D. L. Norman, Judge."

I certainly take from his earlier comments that Judge Norman is not sighted.

With those remarks, I am very pleased to welcome and give my support to this legislation.

4:20 p.m.

**Mr. Germa:** Mr. Speaker, I am pleased to offer a few words on this piece of legislation amending the Juries Act. My views are those of a layman, which is somewhat different from what happens in this Legislature when we are dealing with matters of the judiciary. Normally all these debates are confined to members of the legal profession such as yourself, Mr. Speaker. The rest of us lay people are a little inhibited to get into the debate because very often we do not understand the terminology. We are not quite sure of what happens in a courtroom and, despite the fact that I have been in one several times—not of my own choice at any time—I am always confused at what happens in this house of justice. Many of us do not see much justice coming out of the courts of Ontario.

The only semblance of lay common sense in the whole judiciary process is a jury of one's peers. They bring into this ivory tower some street-level consideration. To that degree, the jury system is an integral part, and probably the most important part, of the whole judicial system, despite the fact that some of our judges do not look very kindly upon lay juries.

I had an argument once with a judge in my riding who told me there was no room for the jury system in Ontario; that these were almost illiterate people, not educated in law, and how could they come down with any common-sense decisions. I defended the jury system. I know of its past history, how it started and how it does leaven the bread in the court procedure.

I had experience on a jury back in the dirty old days when jury pay was \$6 a day. Now we have had a phenomenal increase up to \$10 a day. That is my chief complaint with the jury system in Ontario now. These

people who are empanelled to serve, to hear evidence, to make decisions—the most important people in the courthouse—are inadequately paid for the service they render. Everybody else in the court—even in that day when I was sitting on the jury for \$6—the lawyers, the judges, and all these fine people were all earning \$30,000 a year, \$40,000 a year and some of them \$200,000 a year, making their case and going through their antics, their theatre. The poor panel of jurymen were required to perform in the same fashion, for the same hours, to face the same complex issues, and yet the pay scale was so ridiculous as to be hardly worthwhile picking up.

There is provision in the legislation that a person may be exonerated from service provided he can prove hardship, but it does not define what hardship is. A person in the work place might be earning \$30, \$40 or \$50 a day, and to require him to sit on a jury for several weeks—and some of them could go for that period of time—is imposing a hardship and a penalty on that person which he should not be asked to bear. Yet I doubt very much if a sheriff would consider loss of income as a particular hardship. It has not been a consideration in the past. There certainly has to be some definition of hardship, and I think financial hardship should be one of those considerations. Otherwise, the bill should be changed to ensure that the person serving on the panel will get the same remuneration as he would have, had he not been on the panel.

For instance, if a person is a miner in the city of Sudbury, he is earning X dollars a week and he has commitments that use up every one of those dollars plus about 10 per cent more. To reduce his income from \$60 or \$70 a day to \$10 a day is a hardship he should not have to bear. Yet it is valuable for people who only go into the courtroom once in their life to have that experience. Despite the fact it cost me considerable money to sit on a panel for a week or so on an attempted murder charge, I think the money was well spent. All the people who are empanelled do not have that interest in self-education and are not willing to spend that kind of money on their education, and they should not be required to do so.

It would be better if section 7 went to the ultimate degree, that the employer should grant a leave of absence with pay—not necessarily full pay; I would accept something less than full pay, but something commensurate with what the person is earning in the work

place. But to ask him to give up two, three or four weeks of pay in any given year is just too much for the average citizen of Ontario in this day and age of rising prices and rising interest rates and all those things that working-class people have difficulty facing.

I am pleased with the other sections of the bill. A blind person on the jury, I am sure, is going to inhibit the theatrics of some of the lawyers when they go into their routine in the courthouse. We see better acting in the courts of Ontario than down at the Second City review, despite the fact there are some good actors down there. Some of those birds with their black robes can really perform. Of course, what they are doing is maintaining the interest of the jury panel, entertaining the panel and getting the panel to be sympathetic to their particular cause. If there is a blind man sitting on the panel, some of these legal birds are going to be a little bit inhibited.

I do not suppose there will ever come a time when we have an entirely blind panel, but I am sure there will be one or two at any given time. Some of these high-flying lawyers who win their cases on theatrics will know there is at least one guy there who is not distracted by their activities but is listening to their words. It might tend to upgrade the performance of the legal profession in that there will be at least one person who is not going to be swayed by the facial expressions and the torment and all the performances that go on in the courthouse. They will then have to rely on getting the message across to that person in words alone.

I am in support of this bill, and I hope we are able to make some changes in the bill which will protect from financial hardship those people who are very ready and willing to serve on the juries. Without the jury system, I think my faith in the courts would be a little bit more diminished than it is right now.

**Mr. Ruston:** Mr. Speaker, I want to speak very briefly on Bill 168.

One of the things I have run across with regard to this is the matter of getting to the courthouse when one is called to jury duty. I understand they allow a mileage rate to the place where the jury sits, but in some large rural areas people may be 25 to 30 miles from the courthouse. Many more women are now being called to serve on juries and, as women do not drive as much as men do, some may have difficulty getting to the court. They are allowed mileage, but if they cannot drive and there is no bus



service, will they be allowed to be excused from jury duty for that reason?

4:30 p.m.

Another matter having to do with transportation concerns those people who can be on a jury as a result of this bill, like blind people; I imagine their transportation will have to be supplied and proper facilities made available for them when they get to the courtroom.

I thought I would bring up the other situation as well because it has been brought to my attention. Some of them were fortunate enough to have neighbours or someone nearby who was called at the same time who would give them a ride. But in some cases it has been very difficult. Where there is only one car in the family, it is a real hardship. I use the word "hardship" because it says in the bill if it is a hardship they may be excused.

**Mr. Isaacs:** Like my colleagues, Mr. Speaker, I welcome the fact that the government is progressive enough to bring in legislation which recognizes that persons 70 years of age and older, members of religious orders and blind persons are as equal as all the rest of us for the purposes of service on jury. That is to be commended.

Like my colleagues, I am concerned about the present rate of pay to jurors and about the fact that those who serve on juries often suffer from financial loss. From time to time, that financial loss can become quite substantial.

I want to concentrate particularly on section 5 and more especially on section 6, which seems to me to be incredibly conservative and not at all progressive. Some years ago I received a summons for jury duty. Like most members of the public who were summoned for that most important duty, I welcomed it about as much as I would welcome a summons on a traffic violation. Let us face it; while we may speak very highly of the purpose and role of juries in our judicial system, when we are individually called to serve on a jury, then we somehow find it very inconvenient and wish it would go away.

I believe the government could have taken some steps that would have dealt with this in a very progressive fashion. Unfortunately, particularly in section 6, they have dealt with it in a way that does not seem to me to be at all progressive. I am particularly concerned about the phrase that would allow a person to be excused from

attending the sittings on the ground of serious hardship or loss to him or others.

I want to suggest that the result of this could well be that lawyers, businessmen, doctors and many other groups of professionals will be able to obtain exemption, either temporarily or permanently, from jury service and that we could end up with a jury pool of what might be described as professional people, those who, for whatever reason, are not able to convince a judge or the sheriff that they qualify under those sections and who spend a lot of their time, at least compared to others of us, sitting on jury panels.

I want to suggest to the minister, through the parliamentary assistant in his absence, that there is a system which, according to my information, is proving very effective in dealing with that situation. It is a system called the one-day or one-trial system. It is in effect now in about 20 jurisdictions in the United States. According to my sources of information, it is proving remarkably successful.

Under the one-day or one-trial system, the person who is called to the courthouse is a jury candidate for one day only. If the person is not called during that one day, his obligation is fulfilled. If he is seated on a jury, he serves only until the end of that trial, whether it be for a few hours or a few days. In actual practice, jury trials are generally fairly short, though, as my colleague the member for Sudbury (Mr. Germa) has mentioned, there are cases where trials can go on for weeks or months and can cause very serious financial hardship. I am particularly concerned about those trials, because those are the ones on which it will be even easier for professional people to obtain relief from jury duty. The majority of jury trials last only a day or two. Under this one-day or one-trial system, the jurors are excused at the end of the trial and then they must return to the pool.

If I may quote from an article which appeared in the February 1980 issue of *American Way*, the publicity journal for American Airlines, that article quoted a Mr. Pierrot, a professional court administrator, in the Montgomery county Maryland court system. Mr. Pierrot was very enthusiastic about the one-day or one-trial system. He is quoted as saying:

"Under the traditional system we were not getting anything even approaching a cross-section. Lawyers, restaurateurs, physicians and many other groups of people were

always getting postponed or excused outright, as with many other jurisdictions who were moving towards a court system staffed by professional jurors, a term used for retired people, housewives with older children and other willing subjects. For instance, you never ever saw a surgeon on a jury. Now hardly anyone is excused."

That is the end of the quote, but he goes on to explain that, under this new system, people even enjoy serving on juries; they regard it as part of their civic responsibility, as part of their responsibility to society.

I suggest to the minister that section 6 of this bill could be amended to introduce the one-day or one-trial system. The system has become all the more practical now because our lists of jurors are or could be selected by computer and because it becomes more and more practical to expose larger groups of people to the court system. In the Maryland situation in Montgomery county, there is even a special phone number whereby jurors who are called can phone the day before and find out if they will still be required. If they are not required, their name is dropped from the list and put back into the computer for selection at some future occasion.

There are all kinds of other conveniences built into the one-day or one-trial system that would enable the public actually to enjoy being called to serve on a jury panel. The waiting time is kept to an absolute minimum. The process of jury selection is completed very quickly at the beginning of the day and, having gone through the process, people know whether they are on a jury or whether they are excused from jury service for that particular year. Rather than as was the case when I was called for jury duty some seven or eight years ago, I had to turn up every morning for two weeks.

Every morning we sat around in a hot, stuffy courtroom for a couple of hours as the process went on and every day, before lunch, we were told we were not needed and sent away. That is an aggravating system. It is not convenient to the public and does not encourage respect for the court system. It does not make people feel they are really playing a part in the judicial process in this province.

This one-day or one-trial system seems to me to be such an innovative and modern way of restructuring a jury system that it really boggles my mind that the ministry is moving in the opposite direction by this bill and is encouraging a system whereby pro-

fessional people and those who will be able to justify that they will lose large amounts of money by being called to a jury may be excused. Whereas ordinary people, the working people of this province, who cannot justify that they will have a massive financial loss but, as my colleague the member for Scarborough-Ellesmere (Mr. Warner) has already pointed out, will only lose their normal wages, those people will not be able to get excused under the provisions of this bill. That does not strike me as a progressive direction in which to move.

4:40 p.m.

I heartily commend to the minister a full and thorough study of the one-day or one-trial system, a move in Ontario that will make service on a jury more pleasant, more attractive and indeed more desirable for all of us, so that people can look forward to being called for jury service and so that everyone, rather than receiving jury notice and looking around for ways to get out of that jury service, will say, "Hey, I have been called for jury service, and I am going to go to the court that one day to do my duty as part of a jury in the province to ensure that justice is done and is seen to be done."

That concludes my comments on this bill. I do hope the parliamentary assistant will respond and I do hope he will indicate the government is very seriously studying the one-day or one-trial system and that we will see it implemented in Ontario as soon as is practical.

**Mr. B. Newman:** Mr. Speaker, I would like to make a few comments concerning Bill 168, An Act to amend the Juries Act, 1974. Since I have introduced a bill to eliminate discrimination because of a physical handicap where the handicap does not interfere with an individual's performance of a certain duty, I think that policy is being presented to some small degree in this bill. I agree with that, because in this bill physical limitations or age limitations are being considered to some degree.

An individual up to the age of 70 years can now serve on a jury. I do not see any reason to limit it to 70. The physical condition of an individual would be a better approach to use rather than an age category. There are a lot of people who may be substantially over 70 years of age who are still extremely alert mentally but are being deprived of an opportunity to perform their responsibilities to the community. I do not



necessarily agree with 70. I am glad it has been upped from a lower age to at least 70, but I would have preferred to see that age limit left out completely and a medical doctor certify whether an individual is mentally competent to serve.

The other area in which I am extremely pleased to see some movement on the part of the government is where an individual who may be blind now has the opportunity to serve on a jury. Too often we look upon an individual with some type of handicap, be it physical or otherwise, as no longer being able to make a contribution to society. We know that is not true. The blind would like to make their contribution as well as those of us with full vision.

I commend the member piloting this bill through on behalf of the government for the inclusion of those two areas that I specifically designate: permitting an individual of 70 or older to serve on a jury, in spite of the fact I would prefer to have no age limit, and permitting those who may have impaired vision to serve.

I also think there should be included in the regulations developed under this bill the provision that individuals serving on a jury should be paid at least the average wage paid in a community. There is no reason why an individual should be deprived of making \$50, \$60 or \$70 a day and be paid only \$10 a day for jury services. There should be some substantial movement on the part of the government to increase the indemnity for the individuals serving. That is the extent of my comments, and I hope the parliamentary assistant will take all three suggestions into consideration when he does reply.

**Mr. Sterling:** Mr. Speaker, I would like to express my gratitude to the members who have participated in the debate. We had more members than we normally get on a relatively short bill. I found some of their comments interesting, and I sympathize with many of the views some of them are proposing.

First of all, I think it is important to get some of the facts on the table so we fully understand everything we are talking about. The present indemnity for a juror—it was raised about a year and a half ago, I believe—is \$10 per day for the first 10 days and then \$40 per day after that. On a very long trial there is some relief albeit, I admit perhaps not enough.

We are satisfied that under the present law, in cases that are going to come up where it is necessary for a juror to have vision to

examine the evidence before the court properly, there are enough provisions for exclusion of such jurors.

The member for Scarborough-Ellesmere brought forth two cases of loss of income. He talked about loss of income for someone who was employed and someone at home taking care of children but not receiving remuneration in our society.

The member for Essex North talked about the rural areas where persons incur a great deal of mileage costs to go to court. He talked about the situation where someone could not drive and would incur a greater expense because of the mileage to court.

I do not think we could design a system that would take into effect all of the losses a person would incur when they are serving on a jury. The justice system has looked at the obligation to serve on a jury as a public duty in the past. I think we have perhaps carried that too far in the past, and this act is a minor way of trying to remedy that part way.

I know the Attorney General at this time is trying to make further remedies to lessen the discrepancy between what is duty and what is actual pecuniary loss. But I do not think for a minute the system should necessarily reimburse the citizen for every possible loss that would be incurred in service on a jury. I do think there are some things we still have in our society that are a citizen's obligations.

One of the things I do not like about the present structure is that it tends to penalize the person who is on the lower end of the income scale. In many collective agreements and in many large companies, they will pay you while you serve on jury regardless of what rules we write into legislation here. That is fine and dandy. I think that is good for those people. But the people who are on the lower end of the pay scale are discriminated against by the present payment structure.  
4:50 p.m.

As I say, I do not think we can ever expect society to pay for every possible expense that would be incurred by someone who was going to serve as a juror; I do not think that is desirable. But I think there should be a feeling of obligation and perhaps some sacrifice. Acknowledging that in some cases there have to be some changes, again, we are looking at them. I hope the support for the bill will remain.

The member for Scarborough-Ellesmere (Mr. Warner) has indicated he is going to introduce two amendments, and we will have

an opportunity to discuss those amendments as we go into committee of the whole House. The problem with what he is putting forward is he is dumping this responsibility for payment of jurors on an employer, and I do not think that is fair.

I think the public, rather than the employer, should pay. It rests unfairly on a certain segment of our society which in certain cases cannot afford to pick that up. I am referring specifically to a small business that has one or two employees. To pay an employee who is waylaid by a jury trial for a couple of weeks would be quite a hole in his business and he might not be able to survive if he were required to pay.

I feel the real answer to it is, as the Attorney General believes, for the jury pay to be increased. If that were done, the two problems in terms of the amendments brought forward by the member probably would be erased.

I want to congratulate the member for Kent-Elgin (Mr. McGuigan), who had brought this forward in the Legislature and who had been looking at various things in terms of jurors and witnesses as to how they are treated in the justice system. I am not satisfied that we are doing enough in that area, and we are looking at it.

I think the kind of thing the member for Wentworth (Mr. Isaacs) brought forward in terms of the one-day or one-trial system is something we should be looking at. I am not sure that particular type of system is the best. It may be that parts of it are good, but it may be impossible to implement within our system without a great administrative change; I am not sure.

I think the suggestion in terms of studying the system and trying to determine the needs of the jurors and witnesses and the best ends to meet those needs should be undertaken and we should be doing more in that area. I recommended the same thing to the Attorney General earlier this fall.

It is interesting to note that when I was travelling with the select committee in Vancouver, we went through the brand-new courthouse in Vancouver, the one designed by Erickson. It is a beautiful building but, in cross-examining the people who had built it and asking about the instructions that were given to the architects there, I could determine they talked to the judges, the lawyers and perhaps a consumer group, but they do not really talk to the witnesses or the jurors to find out what system would be better suited to them.

In terms of the increase in the pay for a juror, that is really undertaken in another statute, the Administration of Justice Act, and properly should be dealt with there. I will convey to both the Attorney General and the Treasurer (Mr. F. S. Miller) the concern of the Legislature on the issue of payment for jurors, because I have already indicated to him that I am not satisfied, nor is the Attorney General, with the status quo in that area.

In terms of the fact that 1981 is the International Year of Disabled Persons it is fitting that this bill is coming forward at this time. It is really a very small part of the total recognition of the contribution the handicapped can make to our society, but I am glad it is something positive that is there at this time.

Motion agreed to.

Ordered for committee of the whole House.

#### DOG OWNERS' LIABILITY ACT

Mr. Sterling, on behalf of Hon. Mr. McMurry, moved second reading of Bill 169, An Act to provide for Liability for Injuries caused by Dogs.

**Mr. Sterling:** Mr. Speaker, there has been an increasing problem in our province, and particularly in urban areas, in relation to the control of dogs that are owned by many of our citizens. This bill attempts to meet those problems. It changes the existing law by changing the onus that a dog owner incurs when a dog takes its first bite.

**Mr. Ashe:** Just the first? What about the second?

**Mr. J. Johnson:** Who will speak for the dogs?

**Mr. Sterling:** I hope the member for Wellington-Dufferin-Peel will join in this debate. Was he referring to the dogs or to his constituents?

This act does two things. First, it creates the rules for civil liability between the owner of a dog which has bitten a person and the person who has been bitten. Second, it deals with a system whereby the courts can deal with the dog in determining whether that dog should be destroyed. I think the act is fairly clear in setting out its intent. We have been fairly careful with the definitions set out in the act, as careful as we can be, so that it would be very difficult for someone to deny ownership of the dog, which has been a problem in the past in terms of litigation in this matter.



I think this bill has been a long time coming and is overdue. I would ask the members to support it in second reading.

**Mr. Breithaupt:** Mr. Speaker, I am pleased to rise and speak on the second reading of Bill 169. Fifty years ago the Vicious Dogs Act was passed by this Legislature and, with the indulgence of the Speaker, I will read the entire act. It is as follows: "Where a dog is alleged to have bitten any person, the owner of the dog may be summoned to appear before a provincial judge to show cause why the dog should not be destroyed and, if from the evidence produced it appears that the dog has bitten any person, the judge may make an order that the dog be destroyed." 5 p.m.

Fifty years ago the act said entirely what it meant and that was it. In the 1980s, apparently, that is no longer sufficient. We have to have a definition section, then a four-part liability section, then another section with a couple of exemptions in it and then a reminder to the provincial judge as to how to make an order and what seven things should be considered. We then have an appeal section, a royal assent section and, finally, a short title section.

The act in 1931 was so short it did not even need a short title section, but 50 years later the world has changed somewhat and we have a two-page act to replace what was one section. Perhaps that is a symbol of our times as the volumes of the legislation we pass around here get thicker and thicker. I suppose that is something we all have to put up with.

**Mr. Lawlor:** It is called progress.

**Mr. Breithaupt:** It is called progress. It is like using a computer; it takes longer to program it than it does to get the answer, but that is what we call progress.

The one-section Vicious Dogs Act fitted an earlier time, but now the streets of our larger communities are crowded with large animals that are kept cooped up in apartments and other very small spaces and let out, I presume, only once a day or so to foul the public parks. Those animals are kept at great expense to indulge the egos of their usually rather insignificant owners. No wonder the dogs inside the city are likely to bite and attack those who invade or wander into the very small space which they probably have.

**Mr. Lawlor:** That was a vile canard on apartment and house owners.

**Mr. Breithaupt:** It is a vile canard perhaps but not as vile as the keeping of very large

animals in very small spaces of which apartment owners in the metropolitan communities of Ontario are likely guilty.

At least the new act gives some protection to the animals and some protection to the innocent—usually small children—who are the normal victims of the problems that arise when a cooped-up animal attacks a child. I suppose if it wasn't for the rather dull ignorance of the owners of large animals in the city we would not need a new act like this.

At least the responsibility by this statute will be well fixed, but as usual, unfortunately, it will be only after the event. Part of it is, as I have said earlier, a symbol of our times, not only that we need a two-page act to replace what was one section, but rather that we also need this kind of legislation to try and compensate for the difficulties which are brought upon small children and large animals due to the neglect or at least inconsiderate lifestyle of the owners of many of these large animals.

I hope the act will be approved by the Legislature because it is an attempt to fix some responsibility in a time when that responsibility is often avoided or ignored by persons who keep large animals, dogs particularly, in circumstances which are far less than ideal. We certainly will support the bill. I know certain amendments are to be proposed and we look forward to considering those further at the committee stage.

**Mr. Warner:** Mr. Speaker, there is a basic principle in the bill which is very acceptable, the notion that no longer, if I may put it in common terms, the dog gets a free bite. That is very good. I certainly never thought a dog should have a free bite. Dog bites man, man sues or man bites back, depending on whether a dog has bitten a Tory or not. The Attorney General has covered that basically in the legislation.

**Mr. Swart:** One bite and you are gone.

**Mr. Warner:** I would say to the member for Welland-Thorold that is not very nice—one bite and I am gone. It would have to be a very large dog.

Unfortunately, there are some very serious problems regarding dogs. Those problems are not addressed in the principle of the bill or, to put it this way, the bill has some weaknesses. There are two in particular that cause me great concern. I am not convinced they are covered under the description of owner. I refer to police dogs and guard dogs owned by security companies. Apparently, there are no laws with respect to

security dogs or police dogs. The best I could determine from the centre for criminology of the University of Toronto was that there is not any specific coverage for either police dogs or security dogs.

The Ontario Provincial Police have orders concerning police dogs but the orders are confidential. We do not know what guidelines are involved for police dogs. The problem I have is they may be excluded from the definition of owner because, to me, the definition is a very strange one, although I am not admittedly as knowledgeable in the law as the parliamentary assistant is. It says it is a person "who possesses or harbours the dog." I do not know whether or not that includes police dogs or security guard dogs.

The whole issue of the use and control of guard dogs is a serious one in Ontario and, unfortunately, it has not been dealt with. It is becoming a more serious problem with time. For whatever reason, the government appears reluctant to deal with the problem. It is the same with police dogs. I am not convinced that the citizen has any redress when attacked by a police dog.

We are going to have to take a very serious look at the definition of "owner" in this bill. I think there may be some problems also with section 3(2) that deals with the protection of property. It seems fairly straightforward where it says, "where a person is on the premises with the intention of committing, or in the commission of, a criminal act."

Then the question automatically comes to me as to what happens when two neighbours do not get along. If one neighbour has a dog and the other neighbour intrudes on to the property and is subsequently attacked by the dog, can the neighbour who owns the dog simply lay a charge of trespass or some other charge against the person involved? Does that automatically negate the opportunity to lay a suit for damages against the owner of the dog? Does the person simply have to lay a charge or must the person be found guilty in order to satisfy the aspect of being liable for the action of the dog? There are quite a few questions involved here.

One of the fundamental flaws we are going to have to deal with in this bill is the unidentified owner. Not all dogs in the province can have an owner identified because not all municipalities have licensing provisions. There is permissive legislation under the Dog Tax and Live Stock and Poultry Protection Amendment Act, 1972. Section

6(1) there allows the municipalities to set bylaws prohibiting or regulating the running at large of dogs in municipalities or any defined area thereof. Similarly, the Dog Tax and Live Stock and Poultry Protection Act, 1970, in section 5 allows the municipality to license or require the registration of dogs and to impose licence fees. It is permissive, and not all municipalities have found in their wisdom that they should opt into that requirement. So there are parts of the province where dogs are not licensed.

5:10 p.m.

What happens when a dog that is not licensed bites a person? I can only assume from the bill that the person who has been bitten cannot sue anyone. He or she is left with a nasty bite and no one to blame other than the dog, unless the parliamentary assistant wants to suggest that the person bitten can sue the dog and bring the dog into court. There is no redress in that situation. I think that is a fundamental flaw in this bill. I do not know what the parliamentary assistant is going to suggest by way of repairing the flaw, but surely that would be in order.

**Mr. Speaker:** It would be more in order than your discussing something that is not in the bill.

**Mr. Warner:** However, it is part of the principle of the bill and it is a fundamentally flawed principle.

I am sure the parliamentary assistant is quite pleased in having made a step forward with respect to people who have been attacked by dogs. One no longer has to prove that the dog is of a vicious nature or has a history of being mean. Automatically, one can bring a suit for liability. That is fine, but in the parliamentary assistant's traditional manner he has come forward with only part of the answer. He has not solved the problem of police dogs, guard dogs, unidentified owners or dogs which do not have owners. I really think we need some answers on that.

Beyond that, the parliamentary assistant will find when this is passed, if it is passed into law, he is going to get some lobbying to do something about exotic animals. That is a growing phenomenon in our urban centres, in Metro Toronto, Ottawa and so on. He is going to have the same kind of problem of whom one sues when attacked by one of these exotic creatures such as the giant snakes.

**Mr. Speaker:** The member is really going far afield.



**Mr. Warner:** But it really is fascinating, isn't it?

**Mr. Speaker:** It is completely out of order.

**Mr. Warner:** I will turn to what I am sure you cannot rule out of order, Mr. Speaker.

There is a procedure embodied in the principle of the bill for the court to consider the destruction of the dog. Again, we are going to have to deal with the situation where one cannot identify the owner of the dog. Where one can identify the owner of the dog, there is someone to speak on behalf of the dog. But where the dog has not been licensed or the owner cannot be identified, is it then automatic that there is no one to speak on behalf of that creature? We are interested in some balance on the decision about the destruction of an animal. Surely that is extremely important.

It is with some trepidation that our caucus approves in principle this bill because there are serious questions, particularly about police dogs and guard dogs, which have not been answered. We will examine each of the clauses in detail as we go through the committee stage.

**Mr. McGuigan:** Mr. Speaker, I am reminded of the ex-mayor of Chatham, Garnet Newkirk. His story was that if things were going a little slow in council one should have a dog debate, because 50 per cent of the people were for dogs and 50 per cent were against dogs. One came out even, but could never do anything as a result of the debate. He said if it was a slow year one should have two dog debates. I just throw that in as a bit of advice from the former mayor of Chatham, one of the longest-serving mayors in the province. I cannot give members the number of years, but he served about as long as Mackenzie King served in Ottawa.

My sympathy is with the member who spoke last. When I look at the former act and when I look back at my boyhood days, about the biggest dog available then was a collie dog. It was very seldom one saw what they call a police dog or a German Shepherd or a Newfoundland dog. They were rather rare subspecies. Today we see all these very exotic varieties trained to bite. It seems to me, in throwing out this net to try to catch some of those dogs, we are infringing upon the rights of a lot of people, a lot of children and especially rural people.

My colleague mentioned that a city apartment is not the proper place for a dog because when they are confined they turn ugly.

When I was campaigning I came upon many of these very vicious dogs tied to a chain. When the signs on the ground indicated that chain would reach to the back step, I can tell members that was a back step that did not receive the imprint of my foot. Any dog, especially these breeds, turns very vicious when tied up under those circumstances.

There are many farm families that consider a farm a great place to have children and also to have dogs. I don't think those people should be unduly penalized because certain people exercise a certain viciousness perhaps which is coming into our whole society. It is becoming less safe to be on the streets. There was a report the other day that rural crime was increasing at twice the rate of city crime and, therefore, people in rural areas are turning to dogs.

I want to express the thought that in throwing out this net we may be catching more fish than we really intended to catch.

**Mr. Isaacs:** Mr. Speaker, Bill 169, An Act to provide for Liability for Injuries caused by Dogs is yet another piece of regressive Conservative legislation. Probably the best thing about this bill is the fact it repeals the even more regressive Vicious Dogs Act. The only other thing about it that is at all good is that it enshrines in legislation some protection for the dogs of the province. But it really does not do anything for the people of the province.

**Mr. Sterling:** How can you say that?

**Mr. Isaacs:** I am going to tell the parliamentary assistant why. What this bill does is transfer responsibility from the peace officers of the province, be they police officers or licensed dog catchers, to the individual who has been bitten, to pursue the matter in civil court.

5:20 p.m.

I think we are all aware and I hope we all recognize that access to the legal system is severely restricted for working people, for people on fixed incomes and for handicapped people in this province of ours. Even with the legal aid system we have in place, it is very difficult for those categories of people to take matters to court and to pursue a civil case such as this act envisages when a person, be it adult or child, has been bitten by a dog. Even middle-income people who are not eligible for legal aid often have great difficulty putting the money up front to hire a lawyer to go to court to seek damages that have been caused by a dog and that can be awarded in the discretion of the judge.

I think it is most unfortunate that rather than bringing forward a bill that provides that dogs that are liable to bite people should be kept restrained in some appropriate manner, the government instead has abdicated its responsibility and has brought forward a bill that puts the responsibility on the person who is bitten to take the law into his own hands to seek damages.

I think it is well known, certainly in my own area, and I do not intend this as any criticism of the police, that the police are very reluctant to get involved in cases that involve dogs, even where the dogs have bitten a child or an adult. The Humane Society, whose responsibilities by municipal bylaw lie in this area, finds it very difficult to put enough resources into finding the dog and taking the necessary action to ensure that the owner is dealt with by the courts and that the dog does not do it again.

The parliamentary assistant was somewhat outraged when I suggested the bill is not moving in the right direction. I would like to quote to him from a letter which was sent to him, dated October 30, 1980, from Mr. Bandow, who is general manager of the Hamilton Society for the Prevention of Cruelty to Animals. Mr. Bandow is general manager of one of the best SPCAs in this province and one of the SPCAs that is really doing a good job in terms of public education and protecting both people and animals from each other. Mr. Bandow is concerned about this piece of legislation as well.

First I would like to quote from his opening paragraph: "Mr. Colin Isaacs, MPP, was kind enough to supply me with a copy of Bill 169." I wonder why the Ministry of the Attorney General did not circulate this bill to SPCAs so that they might comment, because they are the people who are most involved in these kinds of problems on a day-to-day basis. The HSPCA did not get a copy of this bill from the government; they got it from my office. It is good that somebody is looking after the people of Hamilton and telling them what is going on in this House, because the government certainly is not.

Secondly, Mr. Bandow makes the excellent point that the bill does not deal properly with the protection of the public from dogs that are vicious or are liable to be vicious. The bill gives judges the option of ordering the destruction of the dog. That is the only option that is granted to the judge and indeed, now that the Vicious Dogs Act is going, probably it is the only way the

public will be able to seek any protection from vicious dogs.

Mr. Bandow welcomes the fact that there are considerations which are to be looked at before the destruction order is given. Those considerations are to be welcomed. They certainly do help protect the dogs of this province. Mr. Bandow goes on to say: "But I am concerned that very little protection is afforded the public where destruction is not ordered. In addition to the animal's well-being, I am also concerned about the public good." This is from the general manager of the HSPCA. I commend him for being concerned about the public good and for looking at the bill in this enlightened way.

Mr. Bandow for the HSPCA makes some recommendations, which I hope that the Attorney General's ministry has received, though, unfortunately, because of the very short time this bill has been in the public domain, it certainly has not been discussed by SPCAs in as broad a manner as I know Mr. Bandow, and I too, would have liked.

Mr. Bandow suggests: "My recommendations would be to provide a number of additional options to the court. These should include (a) the court ordering the dog owner to confine his animal in such a way that it is only accessible to him, and/or (b) on requirement that the dog be muzzled any time the dog is off the property of the owner, and/or (c) a substantial fine and/or the loss of the privilege of dog ownership for a period of time where the animal has bitten a second time and where the owner has failed to take necessary precautions, and/or (d) where the owner fails to comply with a court order under the act."

To finish my remarks on this matter, Mr. Bandow sums up: "Unfortunately, it has been our experience that while the first bite frequently is an accident, often the dog's owner takes insufficient precautions to prevent the same thing from recurring. In order to prevent recurring problems from owners or animals which are not ordered destroyed, I would urge you to give the courts greater discretion than is envisaged in Bill 169."

Those are admirable proposals from a person who is concerned about the public's wellbeing and about the wellbeing of the animals and who has firsthand experience as an inspector in the past and now as general manager of the HSPCA as to the kind of problems that can be caused by this legislation.

I think the bill is far too narrow. It does not give judges sufficient power to ensure



that incidents will not recur. It does not give our peace officers the authority to take steps to ensure that dogs that appear to be likely to bite someone will be restrained in an appropriate manner. I think the government really has to move in that direction.

We have to ensure that, where dogs are kept in an environment that is inappropriate, then those who may be bitten by them are protected before the first bite, rather than being allowed to seek damages through a somewhat unsatisfactory civil court system only after the bite has occurred. We need the protection in the first instance. We do not need to refer these kinds of things to the legal system that is not properly accessible to a large segment of our population.

I want to comment on one other area that has been touched on by my colleague the member for Scarborough-Ellesmere (Mr. Warner), the very excellent critic for this ministry and a future Attorney General. There are real problems in identifying dogs that bite people. He mentioned the problem if the dog is unlicensed and is running at large, but let us just put in place a court scenario for a few minutes to give an example of the kind of problems that can so easily arise.

A person, perhaps a child, is bitten by a dog. The parents are fortunate enough to understand their rights under this legislation and have the means to hire a lawyer to assist them to sue the owner of the dog for damages. So they go to court. The defendant is in a sense the dog. The incident may be unwitnessed. The child may have been out walking on the Bruce Trail, where in my riding literally dozens of wild dogs are roaming because they have been released there by city owners who, unfortunately, do not understand that dogs cannot return to the wild and should not be released in a rural environment. The child is bitten on the Bruce Trail by the dog and there are no witnesses. We go to court and we have the child's testimony against what? Against the testimony of the dog?

5:30 p.m.

Unfortunately, we cannot run a court system that way. The owner of the dog is obviously going to be the defendant and is going to try to find some reason as to why it could not possibly have been his dog. Then where are we? We are absolutely nowhere. We have not controlled the problem even after the child has been bitten, let alone before the child is bitten, as I suggest we should do.

Assuming there was a witness but the dog was still running at large, as so many are, and was not immediately caught, how do we go to court and identify a particular dog? To most people, dogs look a lot more alike within a particular breed or type than do people. Most people are not able to give accurate descriptions of dogs. Do we see a new phenomenon of lineups of dogs in the courthouse with the person who was bitten or the witness to the incident being asked to identify the dog that did the biting? Is this the kind of farce we are going to see?

It really is not satisfactory until we get a proper system of identifying dogs in place so that those who are bitten can go to court and can be assured that it is the right dog and therefore, the right owner. Even then, we really cannot be sure the problem is properly dealt with until this government brings in legislation which imposes a greater level of responsibility on everyone who chooses to keep a dog.

That level of responsibility needs to be legislated and people need to realize they cannot just keep a dog anywhere anytime they feel like it and then dispose of it by dumping it out in the rural or suburban areas of this province when they are fed up with it. Dog ownership is a responsibility, and we need legislation that imposes that responsibility in a very forceful way so that we can be assured that everyone in this province knows that responsibility goes along with dog ownership just as it goes along with so many other things in this great province of ours.

Those are my comments. It is not really a great piece of legislation. It solves one problem by getting rid of the Vicious Dogs Act, but it does not do anything to solve the problem of dogs biting people, and that is the problem we should be solving.

**Mr. Haggerty:** Mr. Speaker, I want to follow the comments of the member for Kent-Elgin (Mr. McGuigan). He mentioned that this legislation will end up penalizing the rural, agricultural people of Ontario, particularly the farmers.

I have a farm dog for one purpose, namely, to protect my property. Section 2 of the bill says, "The owner of a dog is liable for damages resulting from a bite or attack by the dog on another person." What that is telling me, as did the Petty Trespass Act, is that I have to post my land from one end to the other telling people not to enter the land. They must post a sign every foot. That is what this bill is telling people who have

a dog to do. They are going to have to post their land and tell people not to enter their property whatsoever. I am thankful I have a rural mailman who leaves the mail at the end of the lane, so there are advantages for people living in rural areas.

As the member said before, municipal councils always have this up for discussion, perhaps every year. There are municipal by-laws that prohibit dogs from running at large. I often question why we have to pay a \$10 fee to have a dog run on our own property. I have a licence for my car, but it permits me to drive on a municipal road or a provincial highway. Sometimes I even question the need for a municipal licence there.

The dog licence at one time was to compensate for the loss of farm animals, particularly poultry and sheep. There were sufficient funds in the municipality to offset the cost if a farmer filed a claim for losing his sheep. There was money set aside for that purpose. Somebody mentioned a dog wearing a muzzle. I think any dog that wears a muzzle is a vicious dog. This particular act should hit at those dogs that are trained to attack.

I have a border collie. It is trained for one purpose—to heel. If a person comes in the yard that the dog senses should not be there, that dog will heel. She will go around a person and just nip at his heels as if to say, "That is far enough," if anybody happens to go in or around one of the buildings on the farm.

I suggest dogs on farms are trained in this manner, not to attack but to guard property. This bill is saying almost every farmer will have to get rid of his dog if he is going to be liable for dog bites. Sometimes a person entering the property may even provoke a dog to bite. I have known of such cases, and I am using my own place as an example. If anybody walks into my yard with a stick in his hand, he had better beware because the dog is going to keep an eye on him. It is not going to attack him, but it is going to let him know that is far enough to go. It is good to have a dog around, especially if a number of salesmen enter the property because the occupant will not be solicited by salesmen trying to sell something, or even by politicians knocking on the door.

I had an exceptionally good collie dog, a good heeler, and I used to be bothered every Sunday morning with a knock at my door. The dog would always bark and let me

know who was coming into the yard. I had no intention of answering the door at that particular time, so one Sunday the chap came in. He happened to pick up a stick or a limb off a tree and made a swipe at the dog. I was not bothered by that person approaching my property every Sunday after that because he was not there.

We have to look at different circumstances relating to persons keeping dogs. In my area, where there is now a problem in the increase in crime, people are more and more inclined to get a stronger-willed dog to provide the protection they used to have when the police were under local jurisdiction. The regional police, for some unknown reason, do not seem to have time to look after lakefront property and places like that. There is not a weekend I go home that some cottage along the lake has not been ransacked by somebody. The day is going to come when we are going to have to have somebody patrolling that area with a vicious dog to control the crime. I know garage operators in my area who always have dogs there. In some cases the vicious ones are tied up, but there is usually one sitting in where the cash is. It is there for a purpose, to protect the owner and his premises.

I suggest this bill means we are going to have to go out and post signs that nobody can enter a piece of property at all. In a sense, it is an infringement upon a person with a dog to protect the home and residence and even to protect the person living there. I can see the home owner will now have to go out and look for an insurance company to provide him with an insurance scheme to protect him in this particular area, so he will not be taken to court and perhaps have to pay an enormous medical bill or damages. My home liability insurance will increase now because I have a dog. That is what this bill is telling me.

I think we should take another look at this. Where there is a vicious dog, in particular a dog which has been trained to attack, by all means the dog should be destroyed if it gets loose and bites somebody. Sometimes dogs can be provoked. Even a good-mannered dog, a dog that has been taught to attack, may be provoked to attack by children throwing sticks or stones at it. It could be on their own property that the dog goes after them. I suggest this is a piece of legislation that is going to cause some difficulty, particularly to rural people who have to have dogs to guard their property and to protect it from vandalism.



5:40 p.m.

I look at the tender fruit growers in the Niagara Peninsula who have to have a dog to protect the trees, so people do not enter the property and take the fruit. Sometimes I wonder if we have too much legislation. This could be another area where we open the door for more legal costs and more lawyers. It will be something else to argue about.

**Mr. Germa:** Mr. Speaker, I can agree with the definition of society as enunciated by the member for Kent-Elgin (Mr. McGuigan) when he said 50 per cent of the people liked dogs and 50 per cent hated dogs. We have to fall into one of those categories.

**Mr. Breithaupt:** You are with the 50 per cent.

**Mr. Germa:** I am with the 50 per cent. I have been the owner of a dog for most of my life. While I cannot be classified as a dog lover, at least I tolerate them, I look after them, and I never had any difficulty with them.

**Mr. T. P. Reid:** Are the dogs Germa lovers?

**Mr. Germa:** Yes. The dogs have never bitten me.

**Mr. Conway:** How old is the dog?

**Mr. Germa:** Pretty old. I never had trouble with any of my dogs molesting the public. That comes back to the statement made by the member for Wentworth (Mr. Isaacs) that there has to be more responsibility placed on people who choose to acquire ownership of a dog. I do not know how one would accomplish that. I suppose we would have to start another course in the community colleges and hire about 40 more professors to teach dog loving, dog ownership, duty of care and liability.

That is the Utopia I hope we will achieve. But I think it is a little far-fetched to expect that people will accept their responsibilities and liabilities.

There is a false assumption in the bill that the ownership of a dog can be determined after the dog has made an attack. That is the farthest thing from the truth. Even in a well-structured community like Toronto, where everything is regulated, registered and documented, I am sure there are still dogs running at large in the parks, unidentified and unlicensed. But this is the only place where this bill has any semblance of reality.

In the rural or unorganized parts of Ontario, particularly northern Ontario where

probably 90 per cent of the land is unorganized jurisdiction, there is no structure of government, no structure of animal control, no structure of dog registration or tagging. There is just no way to identify a dog that would attack somebody.

While I appreciate the member for Wentworth's concern about wild dogs on the Bruce Trail, he should take a trip to northern Ontario where he will see some wild dogs. There are good and valid reasons for this. I had occasion to be in Moosonee not too long ago. There were large numbers of dogs running loose within the community. None of them was tagged. None of them was tied up. They were running at large. They have to be self-sufficient. They chase various small animals around the community.

I asked one of the residents there why there was this large number of uncontrolled dogs. Lo and behold, these are sleigh dogs. During the winter these dogs are owned by someone. That is determined late in the fall when the snow flies and one needs to make up a dog team. One will grab about 10 of the strongest and ugliest dogs on the street, whip them into shape and they will be one's dog team. The owner will look after them, feed them during the winter and keep them tied up at night. Thus there is some semblance of control and identification.

When the summer comes and it is no longer necessary to look after one's dog team, these dogs are turned loose. They tear through the woods and the town wherever they can scavenge for food. These dogs do pose a problem. If someone is bitten—and someone is bitten on a daily basis in a community such as that—there is no way to identify the owner of the dog.

The greatest loser in this province, as a result of dog bites, must be the Ontario health insurance plan, because everyone who gets bitten is fearful that the dog is rabid. He immediately seeks medical attention, which can be expensive. Some of these attacks are prolonged. There are facial disfigurements and cosmetic surgery is expensive. Yet the people of Ontario are happily picking up the cost of these damages.

If we look at another area of the community where damages are inflicted upon a person, let us say in an automobile, when the guilty party is identified, his insurance company is liable for the damages caused by the automobile driver. OHIP has a method of subrogation whereby the medical costs, as a result of this physical damage, are subrogated against the insurance company and

OHIP is refunded the money. This is a similar circumstance in which, because of the negligence of the owner of a dog, the people of Ontario are subjected to an expense. Why should they bear that expense? In the case of an automobile accident, the people of Ontario are freed under OHIP from that expense as far as hospital and medical services are concerned. There are subrogation proceedings, but there is no thought of that in this bill.

I do not have the statistics, but I did see a report once on the number of postmen in Canada who are bitten by dogs and it numbers in the thousands. When I translate those thousands of dog attacks on postmen alone, I am sure it amounts to hundreds of thousands of dollars against our medical system, not only in Ontario but also in the rest of Canada. I think that should be a consideration. It would enforce the liability to make people realize that ownership of a dog should not be taken lightly. They would then have a liability for the welfare, training and keeping of that dog and the protection of society therefrom.

**Mr. Conway:** I just want to know if those dogs are sinking into the sea of professional social workers.

**Mr. Lawlor:** I have to talk about dogs, Mr. Speaker, as I do not have anything else to talk about at the moment.

Once upon a time there was a Greek philosopher by the name of Diogenes. He lived in a bathtub all his life. It had wheels on it and he paddled himself around the streets of Athens speaking to numerous individuals. As members all recall, he carried a candle with him keeping it lit all day long and into the evening. They asked him the reason for that. He said he was looking for an honest man. He spent his whole life doing so and had not yet discovered one.

One day Alexander the Great attended the city and stood talking to him. Diogenes objected to that strenuously. His shadow fell across Diogenes, who said: "Would you please move aside, heir to half the world? You are standing in the way of my sunshine."

5:50 p.m.

The reason for all that is he was the head of a school called the Cynics. The word "cynics" in Greek means dogs. They led a dog's life and they thought it was a dog's world in which all of us were living. Cynicism is the term derived from that particular situation.

**The Acting Speaker (Mr. MacBeth):** I am trying to fit that into the principle of the bill.

**Mr. Lawlor:** I do not know what that has particularly to do with this bill, but I thought it might form an historical backdrop, leading into some sort of principle, if any such thing exists.

My first objection is to the definition or the non-definition of dog. One of my friends over here was objecting to the expansion of the legislation and to the fact that it had gone to the trouble of trying to define owner. We use somewhat vague terms, incidentally. I wonder if any thought was given to the problem of what constitutes a dog and where dogs fit in. Are there special classes of species of animals in contradistinction, let us say, to coyotes or something like that? When is a dog a dog? That is the question I want members to consider.

I think the trouble with the bill is the minister has not had the Ontario Law Reform Commission do a major study on the matter so that it could come down with the niceties of the situation, instead of this piece of grotesquerie and crudeness we are obliged to deal with here today.

**Mr. Hodgson:** Maybe we should have a select committee to find out when a dog is a dog.

**Mr. Lawlor:** That is a good idea. This Legislature has been terribly concerned in the past few weeks, as we constantly are, with respect to rights of all kinds. After possibly 10,000 years of dogdom, the minister has destroyed what has been a rather sacrosanct thing among the dog kingdom—the right to that first bite.

There is the business in section 2: "The liability of the owner does not depend upon scienter . . ." My Lord, one cannot help but be attracted to the Latin word in this particular context. But up until this time in human history, at least in Anglo-Saxon countries, there is a recognition that until the dog has bitten someone the dog is gentle enough and relatively civilized. Thereafter, an owner has adequate warning, but until that event occurs there is no certainty whatsoever as to the propensities of the animal or one's responsibilities in giving supervision to the beast.

I just do not know whether the parliamentary assistant knows what he is doing when he moves into this area and wipes out this ancient concept. It certainly is a perverse form of conservatism. When he gets to the



area, even when the dog has his bite et cetera, he sets up all kinds of special terms. I wonder if any consideration has actually been given in the legislation as to what happens under the Criminal Code with respect to assault charges as between human beings? As members know, in the code in order to bring matters to a head and finalize these things, a provision for damages is made. I wonder whether our provincial court judges in this particular context ought not to be able to go on to the civil aspects of the matter and award some damages. The parliamentary assistant shakes his head. I assume the negativities involved here arise out of due consideration of the possibility.

Again, in human assault, the criminal court or quasi criminal court may make awards, et cetera and bring the thing to a head and a halt. Here no fines are levied. There are no consequences either of a civil kind, I suggest, or of a criminal kind by way of fines. The only mode of handling the matter is the destruction of the animal, and it ends there.

Section 5(2) says, "Notwithstanding subsection 1, the Vicious Dogs Act continues to apply in respect of bites of dogs incurred before this act comes into force." In other words, I take it the bites are computerized and there is a cumulative index of the dog's history and its biting faculties over long periods of time. There must be a very special reason for putting such a clause in, and that is the only conceivable reason I could detect.

I had a lawyer phone me, curiously enough, about two weeks ago, before this legislation came into the House. He has a dog, and he is concerned about it from a totally different aspect—I wonder if the House might give consideration to it—namely, dogs biting dogs. He has a very valuable dog which has been savagely attacked by another dog up the street. There is absolutely no method in English law of seeking either recompense or any redress whatsoever to the furious survival that goes on in that realm.

He can call in the dog catcher, I suppose, but there is no proven propensity on the part of the animal in question with respect to human beings at all. It roams the street and has inflicted severe wounds upon his animal. It was extremely costly in the event. The dog had to be treated by a veterinarian, had to be sewn up, sutures and other things had to be utilized. I wonder if it is possible to make some provision, since we are dealing with the legislation after 50 years, to take the whole ambit or possibilities into account and perhaps put another clause in there with respect to this particular matter.

**Mr. Sterling:** Mr. Speaker, it is going to take me more than the few minutes left to reply. I would like to adjourn the debate at this time.

On motion by Mr. Sterling, the debate was adjourned.

The House recessed at 5:59 p.m.

**APPENDIX**  
(See page 4047)

**ANSWERS TO QUESTIONS  
ON NOTICE PAPER**

**FRENCH-LANGUAGE  
HEALTH SERVICES**

**227. Mr. Samis:** Will the Minister of

Health table current proposals for extension of francophone health services in the 1980-81 fiscal year, including details of location, services proposed, and expected date of delivery? (Tabled June 5, 1980.)

Hon. Mr. Timbrell:

**PROPOSAL FOR EXTENSION OF FRENCH-LANGUAGE HEALTH SERVICES**

Location	Services proposed in Ministry of Health hospitals and public health units	Expected completion date
(a) Counties Stormont, Glengarry, Prescott and Russell	Communications (written and oral)	1983
(b) Regional municipalities Ottawa-Carleton and Sudbury	Bilingual forms and documents	1983
(c) Districts Nipissing, Timiskaming and Cochrane	Bilingual publications	1983
(d) Territorial districts Sudbury	Bilingual statutes and regulations	1983
(e) Localities Blind River, Elliot Lake, Michipicoten, North Shore and Algoma in Algoma district	French-language professional serv- ices (medical-nursing)	
Anderson, Belle River, Colchester North, Maidstone, Sandwich South, Sandwich West, Tecumseh, Tilbury North and Tilbury West in Essex county	Proportional representation of fran- cophones to boards, agencies, com- missions and district health councils	1983
Dover, Tilbury and Tilbury East in Kent county	Recruitment of bilingual staff in hospitals and ministry offices	1983
Port Colborne and Welland in the regional municipality of Niagara		
Pembroke, Stafford and Westmeath in Renfrew county		
Penetanguishene and Tiny in Simcoe county		
Geraldton, Longlac, Manitouwadge and Marathon in the Thunder Bay district		

Services have been ongoing since 1979.

**228. Mr. Samis:** Will the Minister of Health table both a provincial total and a breakdown of funding expenditures by the ministry relating to provision of francophone health services in Ontario, including description and cost of: (1) administration; (2) services delivered to hospitals, health units, ministry offices and other programs; (3) geographical location of services funded; (4) staff allocation of services; (5) estimated or actual usership of these services, including demand and waiting lists where relevant? (Tabled June 5, 1980.)

Hon. Mr. Timbrell: 1. Provincial total funding expenditures, 1980-81: \$552,700.

2. Breakdown of funding expenditures public hospitals: location and level of funding:

Alexandria: Glengarry Memorial Hospital, \$4,050;  
Blind River: St. Joseph's Hospital, \$4,050;  
Chapleau: Lady Minto Hospital, \$4,050;  
Cochrane: Lady Minto Hospital, \$4,050;  
Cornwall: Hotel Dieu Hospital, \$4,050;  
MacDonell Hospital, \$4,050; Cornwall General Hospital, \$11,850;  
Elliot Lake: St. Joseph's Hospital, \$4,050;  
Espanola: General Hospital, \$4,050;  
Haileybury-New Liskeard: Temiskaming Hospital, \$4,050;



Hamilton: Chedoke Hospital, \$11,850;  
 Hawkesbury: Hawkesbury District General Hospital, \$4,050; Smith Hospital, \$4,050;  
 Hearst: Notre Dame Hospital, \$4,050;  
 Iroquois Falls: Anson General Hospital, \$4,050;

Kapuskasing: Sensenbrenner General Hospital, \$4,050;

Kirkland Lake: Kirkland Lake and District Hospital, \$4,050;

Matheson: Bingham Memorial Hospital, \$4,050;

Mattawa: Mattawa General Hospital, \$4,050;

North Bay: Civic Hospital, \$11,850; St. Joseph's Hospital, \$4,050;

Ottawa: Royal Ottawa, \$55,000; Elizabeth Bruyere Health Centre, \$11,850; St. Vincent Hospital, \$11,850; Children's Hospital of Eastern Ontario, \$55,000; Ottawa Civic Hospital, \$11,850;

Penetanguishene: Penetang General Hospital, \$4,050; Huronia District Hospital, \$4,050;

Port Colbourne: General Hospital, \$4,050; Smooth Rock Falls: Smooth Rock Falls Hospital, \$4,050;

South Porcupine: Porcupine General Hospital, \$4,050;

Sudbury: Laurentian Hospital, General Hospital, Sudbury Memorial Hospital, \$11,850 each; Sudbury-Algom Sanatorium, \$28,400;

Timmins: St. Mary's General Hospital, \$11,850;

Toronto: Princess Margaret Hospital, Hospital for Sick Children, Toronto General Hospital, St. Michael's Hospital, Sunnybrook Hospital, Western Hospital, Downsview Rehabilitation Centre, \$11,850 each;

Vanier: Hospital Montfort, \$11,850;

Welland: Welland County Hospital, \$11,850;

West Nipissing: West Nipissing General Hospital, \$4,050;

Windsor: Hotel Dieu of St. Joseph Hospital, \$11,850.

3. Description of cost, administration: (a) public hospitals (unknown), (b) public health units (unknown), (c) ministry offices, French-language co-ordinator's office, \$98,600.

4. Services delivered to: public hospitals—translation, financial assistance and guidelines as to where French-language services should be provided in short term: public health units—under review; ministry offices—identification and designation of bilingual positions; French-language training; assist-

ance in selection of qualified bilingual staff; planning for effective delivery of French-language health services.

5. Staff allocation of services: (a) public hospitals (unknown), (b) public health units (under review), (c) ministry offices (total of 362 as of 31/12/79).

6. (a) Estimated usership of services (as of 1979):

Region	Total population	French population	Per cent of French population
Northeast	585,725	153,780	26.3
Northwest	233,390	9,150	3.9
East	1,149,265	175,330	15.3
South	6,297,970	123,930	2.0

(b) To date there are no waiting lists of services to be rendered.

231. Mr. Samis: (a) Will the Minister of Health table any policy and guidelines which have been developed by the French-language health services co-ordinator? (b) Will the minister table a detailed breakdown of budget allocations for the office of the French-language health services co-ordinator in the main office of the ministry administration? (c) Will the minister table an explanation of the evaluation and monitoring methods utilized by the office of the French-language health services co-ordinator, as mentioned in the 1980-81 Health estimates briefing report? (Tabled June 5, 1980.)

Hon. Mr. Timbrell: (a) Policy and guidelines: Please refer to the response to the Notice Paper question 232.

(b) Breakdown of budget allocations: French-language health services co-ordinator budget is as follows: salary and wages, \$68,900\*; benefits, \$12,700; transport and communications, \$13,200; services (grants to hospitals and translation funds), \$522,700; office equipment and supplies, \$2,000; total, \$619,500.

\* Total complement consists of: (a) co-ordinator, (b) administrative assistant, (c) secretary.

(c) Evaluation and monitoring methods: There are no documented methods of evaluating and monitoring the French-language health services.

However, overall monitoring of evaluation of the delivery of French-language health services within the ministry, public hospitals and public health units is performed on a regular basis by the French-language co-ordinator in concert with other officials of the ministry, such as hospital area teams, area planning co-ordinators of the district health

council program, and human resources branch.

Also, the Ministry of Health has recently hired on contract a linguistic and phonetic expert to evaluate pre- and post-French-language training programs.

**232. Mr. Samis:** (a) Will the Minister of Health table any surveys which have been undertaken in the past three years to determine the need for extended francophone health services? (b) Will the minister table any reports undertaken as an assessment of the current lack of francophone health services? (Tabled June 5, 1980.)

See sessional paper 275.

### SCARBOROUGH GENERAL HOSPITAL

**298. Mr. Warner:** When will the Ministry of Health provide the ministry-approved \$2 million for the expansion of the emergency ward of Scarborough General Hospital? (Tabled October 9, 1980.)

**Hon. Mr. Timbrell:** There is no record that the project mentioned is "ministry-approved."

The expansion of the emergency department at Scarborough General Hospital has been listed as number seven in the Hospital Council of Metropolitan Toronto priority list for capital projects.

The council has informed the ministry that it is in the process of preparing new priority lists for new and expanded programs, and for capital projects for 1981-82 and beyond, which will be submitted to the ministry this fall. These new lists will supersede all previously submitted lists.

The new lists, including the project at Scarborough General Hospital, will be dealt with in the established manner upon submission.

### INJURED WORKERS

**359. Mr. Di Santo:** Will the Ministry of Labour table the following information: (1) How many injured workers have been placed by the WCB in sheltered shops? (2) How many of them have been placed in training on job programs and how many for regular employment? (3) Can the ministry table the names of the workers? (4) Can the ministry supply for each one of them the period of time for which the wages have been subsidized? (5) Can the ministry supply the date of dismissal? (Tabled October 21, 1980.)

**Hon. Mr. Elgie:** 1. Without reviewing well over 5,000 closed files, the Workmen's Com-

pensation Board to its knowledge has not placed an injured worker into a sheltered workshop, other than the special program arranged by CDSTI, where 10 individuals were accepted in 1979.

2. In 1979, 642 rehabilitated workers were sponsored on the WCB's training on the job program. It should be noted, however, that many training programs involve only an assessment, usually a four-week period, and in 1979 1,288 assessments were completed.

Once again, without reviewing each individual file, it is more likely that the 642 training on-the-job programs which were completed would have been initiated by an assessment period. A total of 1,884 workers were returned to new employment in a modified nature with a new employer.

All of the above cases would have involved regular employment, but not in their previous trade or occupation. In order to qualify for Workmen's Compensation Board placement services, an injured worker must not be able to return to previous employment due to the compensable condition. A total of 950 cases were returned to modified employment with the accident employer in 1979.

3. It would be necessary to review literally thousands of files to obtain such information. It is uncertain whether the Workmen's Compensation Board has the authority to release the names even if they were available. The author of the question would not be representing all of these injured workers nor would he have the consent to release the names.

4. Of the 1,288 industrial setting assessments completed, the average duration of the assessment period would be four weeks. The 642 training on-the-job programs successfully would, as stated above, involve an assessment period, and the average length of a training program after the assessment of the jobs posted in 1979 was approximately four months in duration, of which all would have varying amounts of subsidization.

5. There is no data concerning the dismissal rate after a case has been closed as rehabilitated and employed. However, it should be noted that before a worker's case is closed as rehabilitated and employed, the rehabilitation counsellor carries the case for an additional six-week period after completion of the training on-the-job program to ensure there is no further problem. Further, if a worker has been dismissed or laid off and still cannot return to his previous trade or occupation, the file can be reopened at any given time.



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Baetz, Hon. R. C.; Minister of Culture and Recreation (Ottawa West PC)  
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Drea, Hon. F.; Minister of Consumer and Commercial Relations (Scarborough Centre PC)  
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Norton, Hon. K.; Minister of Community and Social Services (Kingston and the Islands PC)  
Peterson, D. (London Centre L)  
Reed, J. (Halton-Burlington L)  
Reid, T. P. (Rainy River L)  
Ruston, R. F. (Essex North L)  
Sargent, E. (Grey-Bruce L)  
Smith, S.; Leader of the Opposition (Hamilton West L)  
Sterling, N. W. (Carleton-Grenville PC)  
Stokes, Hon. J. E.; Speaker (Lake Nipigon NDP)  
Swart, M. (Welland-Thorold NDP)  
Timbrell, Hon. D. R.; Minister of Health (Don Mills PC)  
Warner, D. (Scarborough-Ellesmere NDP)  
Welch, Hon. R.; Minister of Energy, Deputy Premier (Brock PC)  
Wells, Hon. T. L.; Minister of Intergovernmental Affairs (Scarborough North PC)  
Wildman, B. (Algoma NDP)  
Young, F. (Yorkview NDP)













**No. 107**

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# **Legislature of Ontario Debates**

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Tuesday, November 4, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

TUESDAY, NOVEMBER 4, 1980

The House resumed at 8 p.m.

## CHIROPODY AMENDMENT ACT

Mr. Turner, on behalf of Hon. Mr. Timbrell, moved second reading of Bill 167, An Act to amend the Chiropody Act.

**Mr. Turner:** Mr. Speaker, I will introduce this debate on An Act to amend the Chiropody Act by outlining the need for and the importance of expanded foot care services for the citizens of Ontario. The Chiropody Amendment Act, 1980, will establish the legislative framework for improved foot care services in Ontario in accordance with the program outlined by the Minister of Health last March 13 and when he introduced the amendments on October 14.

The need of our citizens for foot care is growing as our population ages. The elderly in particular tend to suffer from foot problems requiring skilled care—care that can make the difference between leading an independent life and having to move to an institution earlier than necessary. Disabilities affecting the feet can obviously immobilize a person, setting the stage for more serious health problems. An elderly person who lacks mobility has great difficulty providing for his or her basic needs.

How extensive is this problem? The need is increasing, because the proportion of elderly in our population is expanding rapidly. Persons aged 65 and over now represent nine per cent of Ontario's population. In 20 years, they will comprise 14 per cent and their numbers will have increased by 75 per cent. The trend is attributable to both the falling birth rate over the past two decades and the fact that people are living longer.

A study done recently by the Burlington Social Planning Council showed that one in every three persons over the age of 65 interviewed had trouble with his feet, and in many cases this seriously restricted activity. In another study, carried out in Toronto and Orangeville by public health nurses, it was found that 44 per cent of those who lived in the city and 49 per cent of the rural population over 65 reportedly had foot problems. One British study estimated that

78 per cent of the elderly needed chiropody, while a further 15 per cent would benefit from such treatment.

Several organizations, too, have emphasized the need for foot care in Ontario. In 1978, the Ontario Council of Health report on health care for the aged observed, "The whole question of foot care has been underestimated."

The Ontario Advisory Council on Senior Citizens stressed in its 1978-79 annual report, "Foot care needs of seniors are not being adequately met province-wide under the present system." In a 1979 report, the Social Planning Council of Metropolitan Toronto declared that "there is a need for more foot care services in Ontario."

But the elderly are not the only ones who would benefit from expanded foot care services. Foot care is also of critical importance for children, who should be screened for disorders of the feet, particularly since they are more easily treated during the growing years. Expectant mothers and the physically handicapped are other groups requiring special attention as far as foot care is concerned.

I am sure the honourable members are aware that under the present system, which has been in existence for several years, we have fewer than 100 foot care specialists in this province. In the past five years, this number has remained fairly static. The result is that today our ratio of practitioner to population is about one to 98,000. In contrast, the United States has one practitioner for every 30,000, and the United Kingdom has one for every 20,000.

From the point of view of what our senior citizens say their needs are, from the point of view of some of the major organizations concerned with the wellbeing of the elderly and from the point of view of comparison with other countries, the need for more foot care services in Ontario has indeed been well documented.

A brief history of specialized foot care and how it has developed over the years will be helpful in appreciating the current situation and how our plans can be fully implemented following passage of the amendments to the Chiropody Act now before this House.

It is commonly believed that chiropody developed as a separate field apart from the medical profession some 150 years ago because the general medical practitioner simply was not interested in treating foot disorders. In the early days of this discipline, in the late 19th century, foot care in Ontario followed the British model, since most practitioners were trained in the United Kingdom. But as schools of podiatry opened in the United States after 1900, Canadians tended to seek training there. By the 1940s the US-trained podiatrists formed a majority of Canadian practitioners.

As late as the 1920s Ontario had no restrictions on the practice of foot care. This changed in 1925 when chiropody was regulated by the Drugless Practitioners Act. A full-fledged Chiropody Act was passed in 1944 establishing a board of regents, which prescribed standards for admission to practice.

In the 1950s, the educational requirements for licensing were revised in such a way as to virtually exclude British chiropodists from practising in Ontario. In effect, the right to practise is now limited to graduates of schools of podiatry in the United States, since there is no comparable training program in Canada.

Those who graduate from US schools of podiatry undertake a course of similar length to that of a medical doctor. Such courses cover all aspects of foot care, including surgery on the foot.

In developing plans for enhanced foot care services in our province, our ministry took into account the following facts:

1. The surgical management of foot disorders is being, and in the future can be, taken care of by surgeons, especially orthopaedic surgeons, of whom there is an ample supply in this province.
2. Ontario citizens wishing to enter the field of foot care cannot receive the appropriate training anywhere in Canada.
3. It is necessary to ensure the equitable distribution of foot care services throughout the province.
4. The British model of foot care, known as chiropody, has been endorsed by the Ontario Council of Health, the Social Planning Council of Metropolitan Toronto and the Ontario Advisory Council on Senior Citizens.
5. The pilot project at Toronto General Hospital has shown that chiropodists, trained on the British model, can work successfully and effectively with physicians in taking care

of common problems associated with the foot.

It was therefore decided that the most appropriate way to create a better system of foot care services for Ontarians was to provide training in Ontario based on the chiropody or British model, and that such chiropodists would work on a salaried basis in hospital clinics and other community settings as part of a health care team.

8:10 p.m.

Let me say at this point that, although we intend to follow the chiropody model in Ontario, podiatrists now practising here will still be able—with no change in their status—to practise on a fee-for-service basis under our new program. As well, Canadians studying in US schools of podiatry will also be permitted to enter Ontario to practise here upon graduation.

The honourable members will recall the minister announcing on October 14 that the Ministry of Health, in conjunction with the Ministry of Colleges and Universities, would establish a chiropodist training program in our colleges of applied arts and technology. At that time, the minister indicated to the House that the first such course would begin in the fall of 1981 under the joint auspices of George Brown College and the Toronto Institute of Medical Technology. Representatives of these two institutions and of the two ministries are soon to visit Britain to seek the co-operation of British schools of chiropody in developing a program that adapts the British model to Ontario's needs. Our course will probably be of three years' duration like the British course.

The first of its kind in Canada, the program is eventually expected to produce about 40 chiropodists a year. These chiropodists will be employed on a salaried basis in hospitals or other institutions and may be attracted to public health units. They will not be entitled to practise on a fee-for-service basis under the Ontario health insurance plan. Our initial target is a practitioner-to-population ratio of one to 30,000 in this province.

To implement these plans, legislative changes are necessary. The bill under consideration proposes two amendments basically designed to recognize the right of chiropodists to practise in Ontario. The first amendment will increase the lay membership of the board of regents appointed under the Chiropody Act to facilitate representation of the interests of chiropodists.

The second amendment will give the Lieutenant Governor in Council the author-



ity to make regulations under the act, paralleling the authority already established under the Health Disciplines Act. At present, only the board of regents can propose regulations under the Chiropody Act.

A new regulation will recognize chiropodists registered in the United Kingdom. This will allow them to teach in our community college program and to work in our hospitals. A further regulation will recognize the eventual graduates of the Ontario program.

As the minister indicated in his statement last month, we do not intend to wait until our first chiropodists graduate to begin expanding foot care in this province. We are launching a pilot project at Toronto General Hospital in January 1981 which will involve an intensive six-month course in chiropody for registered nurses. These nurses will come from a variety of settings: from the Victorian Order of Nurses for Canada, the St. Elizabeth Visiting Nurses Association and from family practice units of public hospitals. The ministry will pay for this course, and the salaries of the six nurses participating will be jointly covered by the ministry and their current employers.

Upon completing the course, the nurses will teach the principles of foot care hygiene to registered nursing assistants in courses of three to four weeks' duration beginning later in 1981. This will equip the registered nursing assistants to recognize foot problems in need of treatment and to perform minor tasks that the elderly may be unable to do for themselves, such as cutting toenails.

After assessment of this project, we hope to be able to make this program available on a province-wide basis.

We are confident that this policy of expanding our supply of foot care practitioners coupled with the training of auxiliary help workers in basic techniques will greatly enhance the level of foot care in Ontario in the years ahead. The program will particularly benefit our senior citizens who will be better able to remain independent members of the community if spared the pain and disability of foot disorders.

I am sure the honourable members are aware that those of our citizens over 65 make greater use of the health care system than their numbers would indicate. While the elderly now account for nine per cent of our population, they account for about one third of the capacity of our health care system. Therefore, anything we can do to keep older people mobile will contribute to their general

health and sense of wellbeing. It will also contribute to keeping them out of institutions and at home, where they can live fuller and more independent lives. Finally, an extended foot care program will help prevent minor foot problems in children growing into more serious problems as they become older; it will prove of benefit to pregnant women; and it will make life easier for many handicapped people who would not otherwise be able to provide themselves with basic foot care.

Accordingly, I urge the adoption of the proposed amendment to the Chiropody Act which will allow us to proceed with the measures necessary to expand foot care services in Ontario.

**Mr. Conway:** Mr. Speaker, it is a terribly fateful evening for those of us representing the great virtues of liberal democracy to have to stand in our place and proclaim it is not Bedtime for Bonzo. We will all now have to live with what I am told by early returns will be a Reagan presidency. I am sure Bill 167 will more appropriately apply to some of that gentleman's more immediate health care needs than others. Not since Warren Harding swept in from Ohio in 1920 has mediocrity shown so well in American presidential politics.

I very much appreciate the words of wisdom, extemporaneous as they were, from my good friend the member for Peterborough (Mr. Turner). I really do appreciate the presence, the words and the wisdom of my friend from Peterborough, who has carefully taken us through 12 pages of very precise script and in some considerable measure shed some light on the past, if not the present and future, of this most important matter of public policy.

I, as one member of the assembly, am more than passingly thankful that I have at last seen some indication of the intentions of this government with respect to expanding foot care, however late and however imperfect the legislation may be.

**Mr. Ruston:** Major legislation.

**Mr. Conway:** I have to tell my friend the member for Essex North (Mr. Ruston) that with this legislation, following as it does upon the serious and immediate matters discussed in the Vicious Dogs Amendment Act this afternoon, I feel that we are in a weighty part of this legislative timetable. I certainly appreciate this bill as an improvement over some of the other things we have been discussing here.

I have waited some time for this legislation to come forward. I have been health critic

for this esteemed official opposition now for at least three and a half years and I am a very patient fellow; but I thought the sun would be rising in the northern sky before we saw what intentions the Minister of Health had in so far as chiropody was concerned.

Remember my great friend the member for Lanark (Mr. Wiseman) coming forward not one, not two, but three years ago with that doctrine that was going to set a new course in this connection? During those intervening months we have waited—how we have waited. In the intervening time I recall the lobbying, the discussion—maybe more than anything else I recall the lobbyists, or, I should say, the lobbyist. I do not see too many here tonight, but I am sure that at the committee stage they will be present.

I agree with the remarks of my friend from Peterborough where he drew to our attention that the matter which is dealt with in Bill 167—that is mainly foot care for the elderly—by and large in this province is a situation of seriousness and real immediacy. He, I think, has very appropriately taken us through some of those statistics which indicate that the need is very great and by and large unmet within our current health care delivery system.

I do not know how my friend the member for Oshawa (Mr. Breaugh) feels. I expect to hear his words shortly. But we are, I am sure, in some kind of a corner here because, as sure as I stand in my place and as sure as I have waited to these many years, I now see a bill at this relatively late time in the session, at least in the life of this 31st Parliament.

8:20 p.m.

As I stand here, I receive hurried letters in the mail from august bodies like the Social Planning Council of Metropolitan Toronto. There will be, to be sure, more of the same enjoining me and my colleagues to get on with the job, to get this serious business discharged in the name of goodness and light, not to be obstructionists, but to help our embattled, beleaguered friend, the poor Minister of Health (Mr. Timbrell), who has had so little time to bring this matter to our attention.

**An hon. member:** Do your feet hurt?

**Mr. Conway:** Do my feet hurt? They do not hurt nearly as much as my soul on this troubled night of presidential politics.

**Hon. Mr. Snow:** Keep going, Sean.

**Mr. Conway:** I thank the minister publicly, happily and enthusiastically for that, but I

have to tell you, Mr. Speaker, speaking to the principle of this bill, that I do not find myself disposed to be intimidated by some of the ungracious tactics engaged in by the gentlemen opposite. I do not accuse the member for Peterborough because I do not assume, with all due respect, that he is so close to the councils of real power that he would have anything to do with this business.

**Mr. Breaugh:** It's all these back-benchers.

**Mr. Conway:** I know the member for Oshawa is experiencing some of the pressures that are coming to bear upon us. I see broad and obvious smiles beaming across the faces of certain important politicians underneath the ministerial gallery. We in this party do accept the seriousness of the situation. We think there should be a change. What a situation we have got! As I understand it, and I do not profess to have a great and abiding knowledge about the intricacies of chiropody and podiatry, but for those who may not be aware I will try, with the benefit of some briefing papers, to indicate what we have at this time.

My friend from Peterborough drew to my attention that we have fewer than 100 licensed foot care people, largely podiatrists, in this province to deal with this very serious problem. As I understand it, we have a Chiropody Act, administered by a board of regents, which for many years has been controlled by American-trained podiatrists who, not surprisingly, have been disposed to license only their kind so they can go and practise according to, not a podiatry model but a chiropody model. It is the legacy of Tory management in health care. Can you imagine a more ridiculous, outrageous, counterproductive situation than the one I have just drawn to the members' attention? That is the kind of morass, and ridiculous situation we seek to redress in Bill 167.

Bill 167 is an interesting bill. We see just how gentle and generous Old Iron Heel, the Minister of Health (Mr. Timbrell), can be when he sets out to deal with recalcitrant elements in his domain. The parliamentary secretary very noncontroversially outlined what he thought to be the import of sections 1 and 2. If you look at this rather innocuous one-page bill, Mr. Speaker, even you with your not inconsiderable parliamentary legislative experience might be surprised to see that so few words could have so significant an impact.

Section 1 of this particular bill says simply: "The board of regents is continued and shall be composed of not fewer than three and not more than seven persons appointed



by the Lieutenant Governor in Council." There are currently five persons on the board.

I read that to be a not too thinly disguised effort by the executive branch to ensure that certain things occur with that very important body. That is the intention of section 1—to be able very quickly and immediately to control the membership of this board of regents given over to those podiatrists, which God knows, the ministry has less and less private, if not public, use for.

Then there is section 2. I am not a great expert on these matters of legislation, but I am sure my friend the member for Wilson Heights (Mr. Rotenberg), who is more knowledgeable than I with his long municipal and provincial career, would be shocked to see section 2: "Where the Minister of Health requests in writing that the board of regents make, amend or revoke a regulation under section 3 and the board has failed to do so within 60 days after the request, the Lieutenant Governor in Council may make the regulation, amendment or revocation specified in the request."

One is left in fantastical wonderment as to what kind of toady will ever want to sit on that kind of board. Perhaps there will be no trouble. I do not know; I am only wondering aloud about what I think that section means. But it certainly gives me the impression it is the clear desire of the Minister of Health to ensure that nothing at the board of regents for the Chiropody Act will occur without his imprimatur.

It strikes me as passing strange that any self-respecting person would want to sit on that kind of a board. But I have been surprised before. There are people in this province who are prepared to sit on this government's district health councils and other such peculiarities with respect to real control and planning authority.

The minister's parliamentary assistant draws to our attention this will provide the opportunity for the government to proceed with a rather rapid expansion of chiropodists within a clinic setting throughout public health units and certain hospitals.

**Mr. McGuigan:** Putting the best foot forward.

**Mr. Conway:** My feet, like my brain, are in remarkably good condition, relatively speaking. I cannot speak from the point of view of having had the service involved, but I have to take some issue with what the parliamentary assistant says about what this means for podiatrists.

This is, as I read it, the death knell for podiatrists in Ontario. My friend the parliamentary secretary shakes his head vigorously. If he is not careful he will need a chiropractor—God help him—before the night is out. He should restrain himself in such movement, and I beg him to accept from me—if not publicly, at least privately—the suggestion that he knows is the transparent truth; that is, Bill 167 represents nothing less than the end of the podiatrists in Ontario. We have 81 and it is certainly not likely that if this bill is proceeded with as the sum and substance of our legislative resolve with respect to improved foot care services, in a few years there will not be a podiatrist to be found in Ontario.

We in this caucus believe that to be a regrettable set of circumstances. We believe there is a place for the chiropodist, whom the government seems to be concerned about. I sometimes think it is a holdover from their United Empire Loyalist loyalty. If given the choice, they are British subjects; they will go to the wall on that, and will take their chiropodists over podiatrists, if only for the reason that one comes from Britain and the other comes from that horrible democracy to the south. We believe there is a place for the chiropody model the government has identified here. We think there should be a move to proceed with that in some significant measure as quickly as possible.

8:30 p.m.

Twelve to 14 minutes into this little address, this might be a good opportunity for me to tell you and anyone else who might have an incidental interest that my caucus, after serious, positive and dynamic consideration, has resolved itself to vote for Bill 167 on second reading, to allow it to go to committee as soon as possible for the most thorough, serious committee-stage examination as we can manage.

Let my friend, the special assistant to the minister, collapse of apoplexy, I want to say to him again, we will accept the principle of Bill 167 for the purposes of (a) a partial redress of the serious foot care problem in the province and (b) getting it to our much beloved social development committee for a very vigorous debate, in which I am sure all honourable members will wish to participate.

I am sure all honourable members have read with keen interest the private member's bill standing in the name of my very illustrious friend the member for Kent-Elgin, Bill 149, An Act to amend the Health Disciplines Act, 1974, which sets out from our

point of view the role we believe podiatrists can have. Tonight it is important for this assembly to realize that, while we believe chiropodists have a place at a certain level of care within the proposed system, we do not share the government's ideological commitment, which is there and is likely to expand considerably in the near future with respect to foot care, will be met on the one hand by the chiropodists at the more basic general level, and at the other more specialized level by surgeons and orthopaedic surgeons in particular.

We do not believe that is going to be sufficient to meet the needs. We believe there is a place for podiatrists within that program. We deeply resent the unnecessary, unjust, cruel attack of this government on the podiatrists who are providing a service in Ontario today. We think the overt discrimination to which Bill 167 speaks is regrettable, if not worse.

In committee, my colleague from Kent-Elgin, my colleague the member for Windsor-Walkerville and many others far more knowledgeable on this subject than I, will be directing the attention of honourable members on the basic and positive position with respect to podiatrists, and that is that they too have a place within the foot care policy we want to see for Ontario in the 1980s. To that end we will be expecting a very active debate within the committee.

I have spoken more than I require. Other honourable members, including the very enthusiastic member for Halton-Burlington (Mr. J. Reed), will obviously want to speak of their general or particular points of view and clinical requirements in these cases. I just want to say in conclusion, and very seriously, we do have a problem here. It is regrettable, if not worse, that 37 years of dynastic, uninterrupted Toryism should have left us in such a state of mismanagement in 1980 that we have this preposterous situation in foot care, a contemptible set of circumstances, which has weighed very heavily upon the senior citizens of the province. We in the Liberal Party believe there must be a serious, immediate, balanced and fair-minded redress.

While we think Bill 167 is a belated and half-hearted measure in that connection, I want to say on behalf of my colleagues tonight that I will support it on second reading in principle for the very important task of getting it to our committee, where I expect a very quick and useful debate.

Mr. Breagh: Mr. Speaker, I want to say at the beginning that the New Democratic Party will support this bill, particularly be-

cause we are dealing in second reading with the principle of the bill. We have for some time now pointed out as dramatically as we could that there is certainly a sad need for foot care specialists of all kinds in the province. Although the bill itself does not state a number of things which the minister has put into words on previous occasions and in statements, we are generally supportive of the actions of the ministry in this regard.

Having said we support it, I think we should in all fairness point out we have some severe reservations about the mechanisms that the ministry has proposed in this bill. That will be more properly dealt with in the course of committee deliberations when we go through clause-by-clause debate. We will attempt at that stage to point out that we do feel this bill in particular contains the most obnoxious part of any kind of legislation, that is, the minister's ability by order in council to set regulations outside this House, and puts that in front of us. In fact, what we are being asked to do is to trust a minister of the crown. On this side of the House, we have made clear over the last three or four years that we have very little trust left for the current Minister of Health.

I think it noteworthy to point out for those who will read Hansard afterwards that the temporary Minister of Health did not deem it fit to show up in this House this evening to present this bill. In fact, very few of his colleagues on that side are here to show any interest at all in the provision of foot care for our seniors, our young people and our handicapped.

We believe that is a very important piece of business. It is certainly one that has been a long time coming and some rather silly disputes have ensued along the way. I think it noteworthy as well to mark that fully 40 years after this government put in place a Chiropody Act, we will finally get some chiropodists. In the best language, that is called glacial speed. They are hardly stumbling over one another, although I have noticed in the last few days the old horse came to life with phone calls and a little smear campaign outside the House. It took 40 years before there will be 40 graduates in the field, one for every 200,000 people in the province. That is hardly a significant achievement.

I agree with the rather insipid address that was presented by the parliamentary assistant this evening that there is a need. It is unfortunate that government has not addressed itself to that need over the last 40 years. I



am in agreement that it would be a good idea now to recruit some chiropodists and to put them in place. I am in agreement with the concept that is being proposed as a trial project that some six nurses be trained for a six-month period to provide a slightly different form of foot care. Again, I have to point out that is six nurses for a population of eight million after government has been looking at the problem for 40 years. That is hardly what one would call an enthusiastic response.

As other members have pointed out, there has been a long-standing dispute among different practitioners in this field. The government, I suppose in its own inept way, is stumbling on to its form of a solution to the problem. We should be always grateful for small mercies and we certainly do have a small mercy presented to us in the form of this bill.

Although nothing in this bill talks about the practice of podiatry, I am mindful that on several occasions now the minister in private conversations, and I believe in one or two public conversations, has put on record that he does not intend to punish podiatrists. In this House we have to take him at his word as an honourable gentleman presenting those matters to other honourable gentlemen. I would hope that nothing in this bill can be taken or construed to be, or will in future become a punitive practice against other practitioners in the field.

Mr. Speaker, you may know that in the New Democratic Party one of the prime concerns we have in the provision of health care services is that we really do feel there ought to be different practitioners and they all ought to be covered under various health disciplines. Particularly, if one moves to a rational model, one would say that one Health Disciplines Act would cover all practitioners in the field. We ought to have some variety presented to the people of Ontario so they can choose the kind of health care that best suits their individual needs and no one group in that field ought to be given a monopoly. It is sad that that is not at all proposed in this particular act before us now, but it is something.

8:40 p.m.

The thing I want to point out to all members here and to those who may read Hansard afterwards is that it is a pitiful presentation that is before us. It is not even a half measure. It is tokenism at best. I wish the minister well in his endeavour to do something, but I want the world at large to note how small the contribution really is and

that we have nothing. The members of this Legislature are really buying good intentions this evening when we support this bill in principle. We are, without question, buying a pig in a poke, and I support it with all the reservations I could put on that kind of presentation.

I wish we had had the courtesy of the minister's presence this evening to clarify precisely what it is he has in mind with this. I do not understand how they can sit around for 40 years and all of a sudden have panic set in over a period of 48 hours. I wish we had a better, more rational reason for this quick rush to get this bill through in principle this evening. I realize I cannot question the motives of another honourable member, but I must say that my gut instincts, everything about me, tells me that something is fishy here.

I sincerely hope that when we get to committee and we get the explanations from the ministry—with all of the little hacks gathered in the back of the room to see that the media do their job properly and Mr. Boddington writing the usual crummy speeches he writes for the minister—that we will get questions and answers and a presentation on the part of the minister that is somewhat better than other explanations we have had on other pieces of legislation the minister has presented.

The bill deserves our support because the need is so great. I think if I were to summarize precisely where we as a political party stand on this particular presentation, we believe the need is so great that some action must be taken. We must take the bill at face value as it is presented to us. We must accept the stated principle that the parliamentary assistant so poorly put before this House tonight. However poorly it might have been put, we must accept that, and we do.

We do understand and accept that there is a crying need for foot care in this province of a different kind than is now practised. We also understand that for many of our citizens—young, old and the handicapped—the provision of good foot care is the critical factor that allows them some measure of mobility. So the problem is a serious one, and the government is at least paying lip service to that particular problem by the presentation of this act in the Legislature this evening.

We have no illusions that it is going to solve the problem. We have no illusions that this government is actually going to do very much about anybody's problems these days.

We have no illusions that this is good legislation at all. As a matter of fact, in my personal opinion, it is a pitiful excuse of an act to solve a very serious problem; but we do accept that they are at least now recognizing the problem.

As usual with this government, there have been countless surveys and recommendations by various groups, and study groups and presentations, and after all this time, this is what we get for all that effort. I think it is a sad day indeed; but it is, as they say, the tiniest crumb that we are ever going to get, so with some humility we accept it.

**Mr. McGuigan:** I rise to support this bill reluctantly because, as other members have pointed out, the need for foot care is so great.

I am very sorry and disappointed that the bill I presented last spring, Bill 149, An Act to amend the Health Disciplines Act, the purpose of which was to constitute podiatrists as a self-governing profession under the Health Disciplines Act, 1974, was not accepted by the government.

My interest was prompted first by my leader's explanation, as a medical doctor and a person very knowledgeable in this field, that podiatrists are highly skilled, well-trained physicians, and are equal to doctors in the field of foot care.

Shortly after coming to this position, I received a letter from a constituent in Dresden, Don Spearman, who was concerned because of his mother's foot problems. He pointed out to me that we assume that many of those older people we see sort of hobbling along, perhaps with the aid of canes or moving very slowly, have trouble with their legs. The saying is that with hockey players it is the legs that go first, but he pointed out it is really the feet that go first, and many of those people lack mobility because they have problems with their feet.

Many of these people are very reluctant to go to their medical doctor and take up time when they see the office filled with people with children and with acute cases. There may be a long waiting list in the doctor's office, and they are embarrassed to bother their doctor over such a small matter as foot care. So they hobble around and perhaps even add to the cost of medical care in this province, due to the fact that lack of exercise contributes to other bodily ills.

I became more interested in this when my wife was advised by her private medical doctor to go to a podiatrist because she was having trouble with her arches. I accompanied her to Windsor to a Dr. Tolbert, who

operates there. I was very interested to note that so many of the people who were waiting in the office were women. I found myself the only man among quite a number of women.

As I had a little problem with one foot, I thought I would never be closer to a podiatrist than I was there, so I managed to persuade the podiatrist to allow me in. I had a little corn on one toe and he gave me a very academic explanation of it. I guess he wanted to put his best foot forward, realizing my position as a member of the Legislature, so he told me about a good many of the procedures they have.

One of these procedures involves the matter of a toe curling inward and pressing on the next digit and causing a wart or a corn at that point. He said they have a very simple surgical procedure, and the whole cause is not the matter of our shoes, as most of us suspect—and I guess it is a part of ageing—but of calcium deposits gradually accumulating in various parts of the body. These calcium deposits will accumulate on one corner of the joint and that forces the little extremity or digit to turn inward and, therefore, bother the next toe and so on.

The surgical procedure is just to make a little cut in the joint. They have what would amount to a very small sanding or grinding wheel. It is a very minute microscopic wheel that they insert in almost bloodless surgery. They grind off that piece of calcium and sew the joint up again. He showed me many pictures of people who came in with very distorted toes. After one or two of these operations, they had a normal foot again.

This is the sort of thing that orthopaedic surgeons might claim is properly their business, but they are mostly concerned with the major bones of the body, such as hip replacements, and looking after hockey players and football players who are injured, getting them back on the ice and on to the playing fields. We really do not commonly think of them as the people to look after our feet, though I submit that there is a very pressing and unanswered need in society for the practice of podiatry, and perhaps in the long run it would actually result in lower health costs.

8:50 p.m.

A piece of literature I picked up in his office talks about one of the other procedures they have, which is the walk-away bunion operation. It takes about 45 minutes; no crutches, no cane, no cast. All you have is a bandage and a slight limp for a few weeks, then a nice, new, better-shaped foot. They go on in the fine print to explain the opera-



tion and I will not bore the House with all the details.

I remember my own grandfather always wore shoes with hooks on them; instead of the top three or four buttons, there were hooks. Looking back on it, he obviously had a bunion on the outside of his foot, because whenever he bought a new pair of shoes he would immediately take his jack-knife which, as a good horticulturist he always carried, and he would slice a couple of rips through the side of the shoe to allow a release of pressure to accommodate his bunion. If these operations had been available at that time, no doubt he, as the forward-looking person he was, would have had this 45-minute operation and been a lot more comfortable for it.

Those are some of my personal interests, Mr. Speaker, which I bring to you to indicate my reason for sponsoring the podiatry bill. It is still my hope that such a bill might be considered by this government. I do not wish to threaten the government in any way—

**Mr. Conway:** That may be a mistake.

**Mr. McGuigan:** We are a threat to them and they know it. We might just put the boots to the government on the Chiropody Act if it does not give some indication that it would be willing to consider the podiatrists as well, because there is a crying need for it.

**Mr. B. Newman:** Mr. Speaker, I rise to make a few comments concerning Bill 167, An Act to amend the Chiropody Act, and bring to the attention of the House a communication that was directed to me by a podiatrist in my own city who, in 1977, expressed his deep concern that government was moving into the position where eventually podiatrists would be a thing of the past. He wrote me a letter and, in addition, attached to that letter a position paper presented by the Ontario Podiatry Association to the Ministry of Health concerning foot care services in Ontario.

This letter is from Raymond P. Tomaszewski. Dr. Tomaszewski is a doctor of podiatric medicine and has a DPM at the end of his name. In his letter to me, he says:

"I am a member of the Ontario Podiatric Association and wholeheartedly support the comments contained in the Ontario Podiatric Association's submission." I do not intend to read the submission paper. I would assume the ministry officials have had it and, more than likely after having read it, decided that they are going to eliminate completely, in the course of time, the podiatric profession.

"As a personal comment, I would like to add, as a young practitioner having had the benefit of the surgical residing training, I have found the present chiropody thoroughly frustrating in that I have been able to utilize my professional skills only in the most superficial manner. Under the present act, I have no idea how the government will be able to meet its objective of lowering the practitioner-patient ratio from one practitioner for every 98,700 persons to one practitioner for every 30,000 persons by 1986 or sooner.

"There is absolutely no incentive whatsoever for recent graduates to practise in Ontario. If you will pardon the simplistic example, recruiting podiatrists to Ontario under the present act would be as difficult as recruiting pharmacists to Ontario if that pharmacist would only be permitted to type out labels under the law."

You can see, Mr. Speaker, this one podiatrist from Windsor, speaking for himself but I would assume with the support of his own association, is very much concerned that the attitude of, as well as the actions by, this government in the introduction of a Chiropody Act, as illustrated in Bill 167, is eventually going to lead to the elimination of the American-trained chiropodist. I do not know why the government would be so anti-American in its feeling. Surely if we can obtain skills from another country that we do not develop in our own, we should be more than pleased to accept them.

We all know that senior citizens and others who have a need for foot care services have a difficult time obtaining those services, especially in my own community. I know there are chiropodists in Windsor who go from one nursing home to another in an attempt to take care of the foot problems many of the senior citizens have, and they are extremely overworked. By the actions of this ministry, I am afraid we are discriminating against the training many Canadians go into the United States to obtain. They come back into Canada but they, according to what chiropodists are able to do, cannot administer any type of medicines if I am not mistaken.

I do not intend to speak any more on it, other than to bring to the attention of the honourable member piloting this through on behalf of the Minister of Health the concerns of only one in my community. He may be the only podiatrist in the area and, as a result, others don't want to come in. I would assume, simply because they find they are going to be limited in their practice.

**Mr. Warner:** Mr. Speaker, I am sorry to have kept you waiting. Some of us were just trying to get caught up on the most recent results from the American election. I think you had better start looking around for two-for-one sales on bomb shelters. It appears there is a landslide for Reagan; the right wing has risen again in the United States and the rest of the world had better look out. I doubt it is safe for anybody in Windsor with Reagan in power.

**The Acting Speaker (Mr. MacBeth):** Will the honourable member for Scarborough-Ellesmere please return to the principle of the Chiropody Act?

9 p.m.

**Mr. Warner:** It is not embodied in the principle of the bill?

**The Acting Speaker:** I do not see that Mr. Reagan is mentioned in the bill.

**Mr. Warner:** I did not mean to stray, Mr. Speaker. I do not intend to speak at any great length on it, but as a private member, like other members in this assembly I have had quite a few letters sent to me by constituents—

**Mr. Ashe:** Two.

**Mr. Warner:** Far more than two. If the member would like me to bring in my file I would be most pleased to. I am sure if I got half a dozen pages we could haul the file in here.

But the fact of the matter is, like other members of the assembly, I too have been the recipient of numerous letters from constituents who have been and remain deeply concerned about the future of the podiatrists in this province.

I suppose it is partly because of my young tender age and good fortune to have good health, but frankly I was not aware of the seriousness or the importance of podiatry prior to being elected. I certainly had no cause to have that service rendered and was not aware of the seriousness and importance of the profession. But I learned, as an elected member, that there were a lot of people out there who attend podiatrists and who have been the recipients of some excellent care.

The letters I received, I am pleased to report, were not form letters. They were handwritten, personal letters. In them one could read a certain amount of frustration and deep concern. These were primarily from elderly people, although not all the letters were. But these were from people who had problems with their feet and who were getting professional care. They were

concerned because they had heard rumours that this government was going to put the podiatrists out of business.

I gather from the general tone of the debate this evening that that is not the intention of the government. I hope the government will forgive me if I am a tiny bit cautious or sceptical when it introduces legislation.

**Mr. Turner:** It is on the record.

**Mr. Warner:** The member for Peterborough (Mr. Turner) and I both know it but we will not go through it tonight because it is not on the principle of this bill. There certainly have been other pieces of legislation where we are guaranteed that everything is A-OK and then we find out to our chagrin later on that such is not the case.

So I guess what we are looking for here tonight, or at least what I am looking for, is some kind of ironclad agreement or undertaking that the podiatrists who are servicing my constituents are not going to be put out of business. While I am most pleased to answer any and all letters from my constituents, if there is any doubt about the future of the podiatrists there will be another flood of letter writing. The member for Peterborough does not need to put me to that kind of effort, even though I enjoy writing letters to my constituents.

The general issue of foot care has to be addressed in more than one way, I believe. I believe there is sufficient scope there to ensure there are various types of foot-doctor specialists involved in the field of medicine. I believe there has to be some way of ensuring that coverage will be under our public health scheme—either as a part of OHIP or as a part of what we call the delivery of public health services. But there should be some way of ensuring that people continue to receive the type of medical treatment they deserve and that we are not dealing with private medicine the way one runs a Becker's store or whatever.

To reiterate, health care is primary and essential. The single most important thing we can do in a society is to create a health care delivery service so that all people receive health care, regardless of their income. We have a long way to go to achieve that in Ontario and, as we know, the government, unfortunately has done a lot to erode that.

Having made those few brief comments, I look forward to what I hope is a statement from the government that will indicate podiatrists are not being put out of business.

**Mr. Turner:** Mr. Speaker, I would like to thank my colleagues on the opposite side for



their part in the debate tonight. I would also like to thank them for their support of the bill in principle.

**Mr. Conway:** It is only because you brought it through tonight.

**Mr. Turner:** The member for Renfrew North is very flattering. As I know—he did not have to assure me—he is the essence of sweet reason, and that is why I am addressing him. He is very understanding.

**Mr. Van Horne:** You kept a straight face too.

**Mr. Turner:** I always do. I am a good poker player. However, all the members who spoke on the opposite side—the members for Oshawa, Renfrew North, Kent-Elgin, Windsor-Walkerville and Scarborough-Ellesmere—touched upon a common concern. They all mentioned the number of letters they have had both from people practising podiatry and from the patients of podiatrists in this province. I would like to take this opportunity to assure all the members that the status quo of the podiatrist will be maintained. They are not even mentioned in the bill, with all respect.

Let me quote directly from a ministerial statement of October 1980. The minister said, "I want to assure podiatrists currently practising in Ontario, as well as Ontario residents now training in podiatry in the United States who wish to practise here, that they will be able to practise under the Ontario health insurance plan as at present." There is no thought, as I say, to make any changes there.

The member for Renfrew North is not only an example of sweet reason, but he has also exemplified his patience in waiting for this. I think all the members agreed there is a very serious need that has to be met if we are to maintain and deliver the high-quality health care system in this province to which our residents have become accustomed. I want to tell all honourable members that the purpose of this bill is to provide a service that is not—the member for Scarborough-Ellesmere might be surprised at this—universally available outside the larger metropolitan area in this province.

**Mr. Breaugh:** And it won't be.

**Mr. Turner:** Yes, it will be, with all respect. That in itself procreates a problem but it will be available.

**Mr. Breaugh:** Is the member pretending that 40 podiatrists are going to provide for the needs of eight million people?

**Mr. Turner:** The member is being very selective in the interpretation of this. I would

love to take the time of this House to expound on this.

**Mr. Breaugh:** Go ahead. Explain to us how 40 podiatrists are going to provide these needs.

**Mr. Turner:** I think the member is being very selective in his view of this.

9:10 p.m.

**Mr. Breaugh:** I am using your numbers.

**Mr. Turner:** With all respect, the member is displaying a lack of knowledge. There are clinics operating and providing this service.

**Mr. Breaugh:** No, there are not.

**Mr. Turner:** With all respect, there are. The member for Renfrew North raised some concerns about sections 1 and 2. He sees a devious plot on behalf of the ministry to control or do something like that. Let me assure the member that the provisions of the bill are exactly the same as in the Health Disciplines Act; there is no problem at all.

I would like to draw to the attention of the House—and to that of the member for Renfrew North in particular, with his rather extravagant language in defence of podiatrists whom he saw as being put upon by the ministry—that that is just not so. Podiatrists have delivered a service that is obviously well received by recipients in the province. The simple fact is there are just not enough of them.

The member for Oshawa raised similar questions, again indicating his concern. I want to assure the members there is no plot on behalf of this ministry or the government to terminate the services of podiatrists. Just as an aside, I received a letter from a podiatrist who thought the purpose of the ministry was to exterminate them. I thought that was a rather interesting choice of word.

I think I have addressed the concerns of the various members. I thank them for their support and for showing confidence in the ministry by supporting this bill on second reading.

Motion agreed to.

Ordered for standing committee on social development.

#### CITY OF SUDBURY HYDRO-ELECTRIC SERVICE ACT

**Mr. Ashe,** on behalf of Hon. Mr. Welch, moved second reading of Bill 175, An Act to provide for Municipal Hydro-Electric Service in the City of Sudbury.

**Mr. Ashe:** Mr. Speaker, I think it safe to say, first of all, that this bill was recognized

as an interim step in the restructuring of the utilities in the regional municipality of Sudbury. Bill 175 deals only with the city of Sudbury and accommodates the local utility, with the recommendation of the study committee. There was also an expression by others that they would like to have the area known as ward nine or Broder-Dill incorporated into the hydro utility in the city of Sudbury. The bill allows that to happen as an interim step, realizing there will be further legislation anticipated during 1981 relative to the rest of the regional municipality of Sudbury.

**Mr. Ruston:** Mr. Speaker, we support Bill 175, An Act to provide for Municipal Hydro-Electric Service in the City of Sudbury, and are in agreement with it in its entirety. It really is a bill to serve the city of Sudbury. I see the bill does not affect existing agreements for the supply of power by private companies. We support that principle too, so we have no objections to the bill.

**Mr. Germa:** Mr. Speaker, it is interesting to note how the government of Ontario can move its tentacles into every last and remote corner of the province. In this bill they have come to the townships of Broder-Dill.

To better understand what is happening, we should have a little lesson in the geography of what is entailed here. I am sure a lot of people, most of the honourable members from this House, are not aware of the structure of the regional municipality of Sudbury. We were formerly a community of 15 town sites or mine sites, with a nucleus known as the city of Sudbury central to all the different mines.

In 1973, in their wisdom, the government of Ontario introduced a regional form of government. They reduced the number of municipal councils from 15 to seven, for which I have to congratulate them. Now this is a continuation of the regional concept and the philosophy behind regional government that a common community of people numbering probably 165,000 should have a common service, a common cost and a common rate across the entire area. This bill restructuring the Sudbury Hydro-Electric Commission is one more small step in the concept of regional government.

Maybe I should enunciate what is at present in the regional municipality so the members of the Legislature will have some understanding of the enormity of the problem. It is hard to believe that to deliver electrical power to 165,000 people requires the amount of administration and varied structures at present in place. This bill, when

one strips away all of the chaff and gets down to the wheat, is transferring 2,000 customers in the former townships of Broder-Dill and adding them to 32,000 customers in the city of Sudbury. That is precisely what we are dealing with here tonight. It is a very narrow piece of legislation.

What has to be resolved in the future, and there is going to be difficulty, is to rationalize a common power rate throughout the whole regional municipality. In the region at present we have various structures for delivering electrical power.

In the area municipality of Capreol, for instance, we have Capreol Hydro-Electric Commission. We also have Ontario Hydro delivering power to one customer only; the rest of the people of Capreol are serviced by the commission. One account, it is a switch on the CPR, I think, some 12 miles distant from Capreol, is serviced by Ontario Hydro.

Nickel Centre, another community within the region, is serviced by Coniston Hydro. Coniston is a mine site, a small company town within the region. It has its own commission.

Falconbridge Nickel Mines Limited delivers power to the town of Falconbridge. Ontario Hydro also delivers power within that same area municipality.

9:20 p.m.

Onaping Falls, another area within the region, is serviced by Huronian Company Limited. Now Huronian Company is a 100-per-cent, totally owned subsidiary of Inco Metals Limited. It is a company town. It is part of our history that the town of Levesque should be serviced by Inco through its 100-per-cent-owned subsidiary, Huronian Company. Also, part of Onaping Falls is served by Ontario Hydro, that area of the municipality which is outside the built-up original town area.

Rayside-Balfour, which is an amalgamation of the former towns of Chelmsford and Azilda, is totally serviced by Ontario Hydro. It was a rural area in the beginning—it was not a mine site in its history—and it remained with Ontario Hydro. They were the first to supply power.

The city of Sudbury, which is what we are dealing with tonight, is now serviced by Huronian Company, which is Inco Limited, Ontario Hydro and Sudbury Hydro, the commission. Valley East is totally serviced by Ontario Hydro. The town of Walden is serviced by Huronian Company, an Inco subsidiary, and also by Ontario Hydro.

The only part we are dealing with in that whole complex structure is those delivery



systems in the city of Sudbury having to do with Ontario Hydro that were formerly the townships of Broder-Dill. These were annexed to the city in 1973 against their wishes and against the wishes of the people of Sudbury during the regional government process. It was a marriage of convenience—a shotgun wedding. We have had great difficulty in consummating that marriage, and this is one more move to try to consummate it.

What it will mean is that the 32,000 customers in the city of Sudbury are willing to take a rate hike in order to accommodate the 2,000 customers in Broder-Dill. Broder-Dill are two very sparsely settled townships, serviced by rural power—Ontario Hydro—and consequently they have a rate which is now approximately 14 per cent higher than the rate enjoyed by the people within the city of Sudbury.

It is no big thing for 32,000 customers to absorb 2,000 other customers. The increase, I understand, will be not less than one per cent and not more than two per cent. I suppose any customer can swallow a two per cent rise. But I think it should be known that the people of the city of Sudbury are willing to accommodate what was imposed upon them by the forced annexation of these two townships to the south of the city.

Despite the fact it says this is a bill to deliver retail power to the city of Sudbury, there are still two areas of the city which will not be served by the power commission. The town of Copper Cliff, approximately 1,500 customers, will continue to be serviced by Huronian Company. Formerly it was a 100 per cent company town, owned by Inco Limited, and historically Inco Limited used to supply power to its employees. In the old days power was so cheap there were not even meters in the houses. It was part of the package of employment. One had not only a job with Inco, but a house with Inco with free water and free electricity.

Those things have changed to some degree. Inco has now sold off its real estate in the town of Copper Cliff and about 90 per cent of the houses are now privately owned. There are meters in the houses, but the power being delivered to that community is approximately 14 per cent cheaper than the power the Sudbury Hydro-Electric Commission can deliver to its customers.

How does it come about that Huronian Company can deliver power at a rate so much cheaper than what the Sudbury Hydro-

Electric Commission can? I think if one understands how Ontario Hydro sells power, one can realize why that happens.

The big consumers of power, such as Inco, buy block rate industrial power at a preferential rate. They transmit and distribute that power, which they bought more cheaply than Sudbury Hydro can buy it from Ontario Hydro. They distribute that power to their customers. The residents of the town of Copper Cliff enjoy the benefit of an industrial power rate, which in round figures is 12 to 14 per cent cheaper than most of the people in the city can enjoy.

Inco has made efforts in the past to try to ameliorate this difference, and they have gone before the Ontario Energy Board and asked for a rate increase, so the power that is distributed to the residents of Copper Cliff, which is part of the city of Sudbury now, would be somewhat relevant one to the other. The Ontario Energy Board has said, "No. You cannot raise the rates because you then will be profiting by distribution of power."

There is some rationalization for that position as well. Consequently, there has been this disparity in rates between the town of Copper Cliff and the rest of the city, and there appears to be no local politician on the local study team looking at this who is willing to address the fact that the principle of regional government is that a common rate should be charged across the community for a common service.

I believe that is why this bill does not address the problem of the town of Copper Cliff. There is provision under the Power Corporation Act that the Sudbury Hydro-Electric Commission can take over the private company, but to this point they have not been able to agree on a price. I understand Inco's price for its distribution plant is such as to be not attractive to the Sudbury Hydro-Electric Commission, and also that the distribution system Inco has in place is not compatible with the distribution system in the city of Sudbury. Consequently these two systems will not meld together.

When the time comes for this private power distribution system to be taken over, there is going to be a major expenditure in updating the system, but that is down the road. This is something else we will have to face.

There is one other pocket of houses within the city of Sudbury also supplied by Huronian Company and that is the town of Frood Mine. It is barely one mile from downtown Sudbury and yet here is a pocket of 25

houses which also enjoy the benefit of Huronian Company's industrial power rate. Even within the city of Sudbury there is that anomaly remaining after this bill has passed the Legislature.

The bill goes to great lengths to restructure the municipal hydroelectric service. It changes the structure from a three-member commission to a five-member commission, a majority of whom will not be from the city council. I have no disagreement with that. Whether or not our future councils after 1982 will be elected or appointed will be the decision of the Sudbury city council. I have no argument with that.

But I do have an argument with the price that the restructured commission is going to have to pay for the assets from Ontario Hydro. The plant at present in place has to be bought and paid for when this transfer of authority takes place. We have to come to a determination as to its value and the people of the city of Sudbury will have to fork over X number of dollars to buy that plant. There is some argument, some debate and some justification for the dispute over the price that will be paid.

9:30 p.m.

Until 1971, in order to encourage power distribution in northern Ontario, the province had a grant system in place known as grants in aid, where the government would make grants to Ontario Hydro in a particular district to the tune of approximately 30 per cent to encourage making a power district a viable entity in delivering power to the residents concerned. Once Ontario Hydro has received a grant in aid, that should not be reflected in the present cost that the people of Sudbury will have to pay for the plant.

The people of Sudbury have paid for the plant through their grant in aid to the tune of 30 per cent. Any figure arrived at as to the value of that plant should be reduced by the amount of grant in aid which was delivered by the government to Ontario Hydro in order to get that power district in a viable situation.

There is a precedent for this in the Thunder Bay area where grants in aid were used to reduce the value of the plant which had to be transferred. I am told that the government has been consistent since 1971 and that it has not seen fit to reduce the acquisition value by that amount of money.

It is true that the Hogg commission set up in 1973 did recommend that grants in aid should remain with Ontario Hydro. I still do not know why or how they arrived at this recommendation. Recommendation 7.9 of

the Hogg commission says: "Past grants in aid from the provincial government associated with rural distribution facilities [should] remain with the consolidated rural power district." That is what we are up against, despite the fact there is a precedent where this did not happen, where the grant in aid was a benefit to the people who were assuming the responsibility of distributing power.

I am also happy to see that the bill protects any employees who might be transferred from Ontario Hydro to the restructured corporation. I see there are such things as pension benefits, sick leave benefits and availability of the Ontario municipal employees retirement system plan. I do not see any reason why there should be a concern for any employees who have to be moved. Perhaps there are not going to be any moved in this particular case, but at least the government was thinking along those lines and did make some provisions to ensure their security.

I intend to support the legislation. I am just surprised that after years of study—we have had the local study team working for five years and the provincial Hogg commission working for some seven years—from all this labour we get this little mouse in that 2,000 customers out of 165,000 customers are going to be transferred from Ontario Hydro to the Sudbury Hydro-Electric Commission. That is the extent of all this consideration over the past seven years.

If the principle behind regional government is that people should enjoy a common price for a common service, then surely there should be more action than that. No one has expressed it more clearly than the mayor of Onaping Falls when he wrote a dissenting opinion to the recommendations of the local study team. I would like to put on the record the dissent of Mayor I. J. Coady, the mayor of Onaping Falls, in a letter dated March 26, 1979, to Roger Levert, chairman of the local study team, on the restructuring of the electrical utility in the regional municipality of Sudbury:

"Although I recognize that the conclusion of this report adequately represents the opinion and decisions of the majority of the members of the local study team, I find that it is so completely in opposition to my thinking that I cannot, in all conscience, sign it.

"My opinion is that the only equitable and reasonable solution is a regional electrical utility with uniform rates and, if this is not feasible at this point in time, I intend to recommend to my council that Onaping



Falls retain the status quo and not consider the feasibility of the modified lower tier option."

Surely the ultimate goal of regional government is to have one utility servicing the entire regional municipality of Sudbury. I despair that this will not happen because of the lack of resolve by the government, and we will have to accept a piecemeal restructuring, probably on an area level.

**Mr. Martel:** Mr. Speaker, I would like to say a few words. I guess I started to write to this ministry even before the time of the present minister. I appealed a long time ago to bring Broder-Dill under the wing of the city of Sudbury commission to give the residents of Broder-Dill at least one break out of regional government.

I first wrote on this bill in conjunction with the then representative from ward nine, Ron Yeomans, who started the request years ago to give that one break to the Broder-Dill citizens after the establishment of regional government. Here we are tonight, as my colleague has said before me, still dealing in a piecemeal fashion. In fact, for a while this spring, I thought we might never get to this bill.

There was a great exchange of correspondence between the minister and his assistant and myself, my colleague and the city of Sudbury and the councillor representing ward nine. There seemed to be some serious problems because, as my colleague the member for Sudbury has said, we are dealing in a piecemeal fashion. It is a move from outside of Broder-Dill, the push is coming from the ministry to establish those commissions.

My colleague from Sudbury says region-wide the study team has broken up into pieces and, because of the dissension, I did not think we would even get this bill. But the push to establish the various commissions is coming from the Ministry of Energy. One of the items I want to talk to a little later on is the grant in aid, and it seems to me, since the push is coming from the province, they should be prepared to accommodate that.

9:40 p.m.

I have three concerns. I have expressed them in correspondence and received acknowledgement to my correspondence just today by hand delivery. I am not pleased in terms of the three concerns I expressed. I want to tell the parliamentary assistant, before I proceed to deal with the three, I have just received a letter from the chairman of the Sudbury hydro commission, and he makes the point:

"Thank you for your letter of October 21, 1980. Your letter to the Honourable Robert Welch, Minister of Energy, spells out clearly the position of our commission and we are most appreciative of your assistance."

So when I speak to the three issues I am going to mention, the commission in Sudbury supports those three positions. The people opposing them, of course, are the very people who are pushing to get the commissions established in Sudbury.

The first one is Huronian. My colleague has indicated that Huronian is a wholly owned subsidiary of Inco. They are leaving it out of this bill. We believe there should be an amendment in the bill which says, "permissive legislation allowing for the purchase." The reason we will not go the whole hog and insist that it be mandatory is the commission, and I am inclined to agree with them, knows full well that Huronian, alias Inco, is going to try to get maximum bucks out of their system which they have allowed to deteriorate to a point which caused me to request of this ministry that they get Hydro involved to do a study, not only on the original capital costs but also on what it would cost now to bring it up to standards.

Inco has a faculty for getting its way. I recall a couple of years ago, Inco got very generous with the city of Sudbury, that part of it in the town of Copper Cliff. They said to the city of Sudbury, through the school board: "We are going to give you our arena. You can have the Copper Cliff arena." That looked like a pretty lucrative offer, except they had to tear the arena down. The roof was in a state of collapse. It would have been nice if they had given it to the city of Sudbury; then the school board or the city, through the recreation committee, could have paid the price of demolishing it. Can you imagine that for generosity? They are not pikers when it comes to negotiating, as my friend the parliamentary assistant knows. That is why I want Hydro involved in a study. I do not want them with their high-priced technical staff to shaft the commission in Sudbury.

What bothers me even more, and it is not in this bill, is as the minister prepares to bring in the other legislation next spring he still has to deal with Huronian in Walden, Levack and Onaping, and he will have to deal with Falconbridge. He does not even set the stage in this legislation; so we are going to have a belt where residents in those particular areas are going to have a preferred rate. As my colleague explained, Huronian gets a much cheaper rate for hydro than does

the utility in Sudbury. They get an industrial rate. They have been able to sell it more cheaply to their customers than in the rest of the area. The minister does not deal with the problem in this bill. Before the ink is dry on this bill, when the minister brings in the rest of the legislation, he will have to amend this one anyway. So he really shied away from dealing with the problem forthrightly, because next year we are going to have to come back and deal with the next piece of legislation which will entail the other four or five areas in the study. At the same time, we will have to go back and amend the Sudbury bill.

While I still hope that will be done, I am told we really do not need it, because under the authority of another act the commission can purchase Huronian. What I would have hoped, though, was to see it written in so there would be no doubt in anyone's mind that that dual system was not going to be tolerated, not only in the city of Sudbury but also in the rest of the region. So we will have to come back to it. We will also have to deal with Falconbridge, which I am told is not in much better shape than Huronian in Copper Cliff.

I am told by the commission that if they paid \$1 for the Huronian system, the cost to bring it up to standard would increase the rates in the city. I have no way of proving that except that when my colleague met with the commission, they indicated that they thought, even for a buck—and one can believe Inco is not going to give that system away for a buck—it would increase the rates just to bring it up to standard.

That is why I asked the minister and parliamentary assistant to put together a study team, using the expertise of Hydro, to find out the capital value of it and to assess what it is going to cost to bring it up to standard. Only when we know that will we be able to start to negotiate the purchase of that plant so that, we hope, it will not result in an increase in hydro rates in the city to the rest of the citizens of Sudbury.

The ministry said they were prepared to allow staff to get involved with Inco and the city of Sudbury—but to fund part of the study? Nyet—no, no. At the same time they are saying nyet, they are the ones pushing for the establishment of four more commissions. Does the minister want it every way possible? He wants to get rid of it and he wants the local consumers to pick up the total tab. How can he have it both ways?

Surely the minister can supply funds to the degree it would cost Ontario Hydro. The

city has indicated it is prepared to meet the cost of its staff. I guess out of Inco's heart, generosity, kindness and benevolence they might even be prepared to pay their own representatives, because they will have them there in droves to guarantee they get top buck for something that has been allowed to deteriorate over the years.

I am told that in the town of Coniston, although there has been a commission there for a number of years, with much of the work done on a contract basis, it is also in a state of decay.

One of the problems that Hydro wants to get out of is the amount of moose pasture in the various commissions that will occur outside the city of Sudbury. I can understand their desire to get out of offering the service because there is so much moose pasture. But that is a fault of this government. This government, through the former Minister of Municipal Affairs, used to grant subdivisions for everybody and his dog.

For example, in the towns of Valley East and Rayside-Balfour, they put in sewer and water services that cost \$50 million for 30,000 people because they have allowed strip development along Highway 69 south for fully 11 miles. The system has been in since construction was started in 1971 or 1972. It is because this government has never had the courage to say to those land speculators and developers, "No, we have had enough of this nonsense." It is the citizens of the province who pay for that nonsense. In fact, it is still going on.

9:50 p.m.

One would be amazed to learn that in the town of Valley East there are 4,000 serviced lots, and yet there is an attempt now to open up another subdivision. It boggles the mind. That is why I am somewhat reluctant to allow municipalities to have the power over all the subdivisions. Giving them so much authority really bothers me, because they knuckle under to the pressure of developers.

I would like to see the system speeded up. When I look at Valley East, I am glad the Minister of Housing is here, because he has been with me when I have argued publicly in Sudbury that we cannot allow that sort of nonsense because we pay the price.

Hon. Mr. Bennett: That is part of the agreement.

Mr. Martel: That is right. That is why we are giving it to the region. We will pay the price there too, because in Valley East



they just lifted an E zone. Now they have put in \$5 million worth of sewers to satisfy one subdivider who has 40 lots in the area. He is behind it.

**Hon. Mr. Bennett:** That's local autonomy.

**Mr. Martel:** The minister can call it what he wants. Before we had local autonomy, it was allowed to go totally rampant.

**Hon. Mr. Bennett:** The member's leader talks about local autonomy time and time again. He says to give the municipalities the right to make the decision.

**Mr. Martel:** Tories like to play the game of local autonomy when it is convenient. When it suits their purpose, they scream local autonomy.

**Mr. Warner:** A crook by any other name is a crook. A crook is a crook is a crook.

**Mr. Martel:** Right. In Valley East we have \$50 million worth of sewer and water services. Now the member for Durham West (Mr. Ashe) wants to give us a hydro-electric commission because Ontario Hydro does not want to foot the bill. If the government had stopped some of that nonsense, that would not have occurred.

**Hon. Mr. Bennett:** Did you appeal it to your regional council?

**Mr. Martel:** I have not. I have gone to them to try to get it stopped.

**Hon. Mr. Bennett:** You are a citizen of that community. Appeal it.

**Mr. Martel:** I have. It is like talking to the wall.

**Hon. Mr. Bennett:** It is the local people who make the decisions.

**Mr. Martel:** Mr. Speaker, can I allow the minister the floor for a few minutes so he can get off his chest whatever is bothering him and then I will continue?

**Hon. Mr. Bennett:** I am just trying to change your misleading statements.

**Mr. Martel:** I am misleading? Would you ask him to withdraw that, Mr. Speaker, before I continue?

**Hon. Mr. Bennett:** I will certainly withdraw it. You got the meaning of what I said.

**Mr. Martel:** I say to my friend the parliamentary assistant he cannot have it both ways. If he wants us to take it over, then we should get involved with some of the funding in a program to determine the actual value and what it is going to cost us. I believe, if the government wants those commissions, it should help to pave the way. It is not in this bill. The government is going to have to deal with it next year. I hope my words

will get to the parliamentary assistant and he will say the government is prepared to pick up Hydro's share of whatever it costs in that study. That would show a little desire on the part of the government to do it fairly.

I want to get to grant in aid for a moment because there is something I cannot understand about it. The provincial government paid a certain percentage—I think it was 50 per cent—for the development of that service a number of years ago. Now the city is going to purchase it from Hydro, and Hydro wants to include in that cost the portion which the province paid for. In other words, it wants to include the bill the taxpayers helped to foot by whatever amount the province put in at the beginning. If Hydro now sells it to the city of Sudbury, the province says, "You have got to pay for that anyway," even though the taxpayers picked up the cost. They are paying twice.

As my colleague from Sudbury said, I cannot understand why the Hogg study said we had to discontinue it. In the last nine bills we have brought into the House, I cannot recall anybody ever questioning why we are insisting that the taxpayers pay twice. The province's share came from consolidated revenue fund, which is taxpayers' dollars, and now we are going to buy it from Hydro and, in addition to what Hydro paid out, we are going to pay again the provincial input.

There is something crazy about that. My colleague from Sudbury said he does not understand it. Neither do I. Mr. Speaker, I am sure you will agree with me that if the taxpayer has already paid a portion of it, why should he pay again for a transaction of this nature? The commission in Sudbury is agreeable with that position. Mr. Levert in a letter to me went to great lengths to explain it. He said: "In southern Ontario prior to January 1958 and in northern Ontario prior to December 1971, new rural distribution plant was subsidized by 50 per cent capital contributions from the provincial government. When calculating the sale price of the rural facilities being transferred to a municipal utility, Ontario Hydro does not allow grant in aid as a reduction to the original cost." I am really amazed that we have to pay twice.

I know it is in nine bills, but because we made a mistake in nine others does not seem to me to be any reason why we should continue to make the same mistake and insist that people who were already taxed to pay that share should now pay again to meet Hydro's determination of what the ultimate conclusion to that should be.

I agree that we should amend the nine bills that went before and not continue this mistake, because it is double taxation. I do not care how one cuts it, it is double taxation of the residents of this province. I do not think that is acceptable.

The question I raise is, why? I agree that the bill is long overdue for the residents of Broder-Dill. It has been eight or nine years in the making. I agree that much of the bill does and will reduce the costs, but it leaves a couple of areas that I would have hoped could have been dealt with now. As I said earlier, the ink will hardly be dry when we will have to amend it. It will have to be amended when it is brought in and when some resolution is found to the outlying commissions that are going to be established, I think the government hopes, outside the city of Sudbury proper.

I hope the government will pay its share of a study. I hope it will give us the \$350,000 deduction, and I hope a permissive clause will be written directly into the bill as the Sudbury commission indicates it wants to see done.

My colleague the member for Sudbury indicated he was satisfied with some of the other aspects of the bill. I thought it was all above board and that the employees would stand to be in the same position they were in prior to the date of this bill coming into effect, but I think my colleague the member for Wentworth is going to speak to a certain part of this bill which indicates that not to be the case. Therefore, I reserve the right to determine whether we are going to send this to committee until after we hear the response from the parliamentary assistant.

10 p.m.

**Mr. Isaacs:** Mr. Speaker, I would like to advise the House very briefly of some experience with hydro restructuring that we have had in Hamilton-Wentworth. As has already been indicated in this debate, the principle of this bill is the same as the principle of its nine predecessors.

I must say I would have found it very useful if at the time we were debating Bill 93 earlier this year some members who had experienced hydro restructuring previously had shared their experiences with me. So I feel quite justified in taking a few moments to share with the members from the regional municipality of Sudbury and with the parliamentary assistant some of my experiences about a couple of the important considerations in this bill.

First of all, I must say it concerns me very greatly that we are here again with a hydro restructuring bill that is being proceeded with through this House at an incredible rate. I look at this bill and find it was given first reading on October 27, and here we are on November 4 giving it second reading. I find that to be nothing short of ramming the legislation through the House.

The parliamentary assistant and I have had some correspondence on this matter with regard to Bill 93. I am sure the honourable members will recall that Bill 93 was given first reading on June 5 and received its third and final reading before June 19 of this year. There seems to be something about hydro restructuring bills that causes the government not to want them circulated very widely among affected people. I know the parliamentary assistant is going to say this bill was discussed freely with the members from the area and with the hydro restructuring committee in the area. I am certain from the conversations I have had with my colleagues that the procedure on this bill is exactly the same as it was on Bill 93; namely, yes, it was discussed with members from the area, but members from the area were not given copies and were not allowed to take copies away from the meeting in which it was discussed; and yes, it was discussed with the hydro restructuring committee, but it was not given to the councils of the various municipalities in the affected area, to hydro employees, to the full membership of existing hydro commissions or to the members of the public and the electors in the area who are to be affected by this hydro restructuring.

This kind of hydro restructuring being rammed through is totally and utterly unacceptable to me. I do not understand to this day why the government refuses to allow full and proper debate, but I have a hunch that, when one starts asking detailed questions about what it means to the residential power consumers of the area affected by the restructuring, it does not come out nearly as good as has been promised.

Again, relating the issue of restructuring to what is happening in Stoney Creek, which is one of the restructured hydro communities within my own riding, we were promised for years that hydro restructuring would mean lower hydro rates for the people who lived in the area of the municipality served by Ontario Hydro. That was the big benefit that was promised by hydro restructuring and by Bill 93, which we got earlier this year.



Subsequent to that bill being passed, the mayor of Stoney Creek, who happens to be the Tory candidate as well and is probably fairly well informed about these matters, suddenly came out publicly and said, "Maybe it doesn't mean lower rates; perhaps it means that rates won't increase quite as much in the future."

That is not the commitment the people were given. That is not a benefit, to have a restructuring now on the basis of some unidentified future benefit that may or may not come about. Indeed it may not come about if some of the arguments in this House for lower rural hydro rates are put in place by that government, or by this party as a future government, as they should be, because the government's handling of rural hydro rates through Ontario Hydro is nothing short of despicable.

Bill 175, which we are discussing today, is a pig in a poke. The people of Stoney Creek do not know to this day, almost six months after Bill 93 was passed, what their hydro rates are going to be effective January 1 of next year. A great flourish was attached to Bill 93, and yet the promises are evaporating as times goes by. There may not be any benefit to anybody and there may be just a loss to the people who were in the old Stoney Creek hydro area and who are now having to pay some kind of equalized rate.

I suggest to the members from the Sudbury area that before this bill is supported they should be looking at hard facts as to what the hydro rates will be on January 1, 1981, because while the bill has promise of lower hydro rates for the people who are at present rural customers of Ontario Hydro, that promise may evaporate in the same way that so many Tory promises evaporate and there may not be any real benefit to the bill.

**Mr. Warner:** Typical Tory trickery.

**Mr. Isaacs:** That is right. The second point I want to raise relates to the matter of protection for employees of Ontario Hydro who now are working in the area that will be restructured. There is an assurance in this bill that there will be protection for such employees, but I want to suggest to the House that there is one clause in that protection that is dubious, to put it mildly. That clause occurs in section 9(3). It is that last piece which reads, "a wage or salary not less than the wage or salary he was receiving on the day nine months before the transfer date."

That nine months appears pretty innocuous. One says: "Okay, nine months. There must be some great legal reason for putting in nine months in there." That nine months is desperately important. That nine months is there because Ontario Hydro employees will sign a new contract somewhere after nine months before the transfer date; in other words, some time after April 1, 1980. That nine months clause means that for the transferred employees, for those employees who are at present working for Ontario Hydro but who may end up working for the new restructured hydro utility, the new contract that will be signed in 1981 is completely voided.

I think that is despicable and is an indication of the attitude of this government towards protection for the workers. I suggest it is a completely and utterly inappropriate way to move. The jobs, salaries, working conditions and fringe benefits of employees who elect to transfer should be protected 100 per cent, not back to the contract before, but to the contract that is in force on the day of the transfer of the responsibility of those employees to the new hydro commission.

I think that clause is desperately important. It is one that the government has put in there because it knows it can attempt at least to allow the new hydro commission to be a cheapskate and to cut back on salaries from what they were on the day of transfer. I urge this House and my colleagues from the Sudbury area to give serious consideration to that, to discuss it with the union involved and to see whether that clause should not be struck from this bill, because it is one of the most despicable anti-union clauses one could imagine coming from a government of this province.

10:10 p.m.

There is another category of person who is not so directly affected by the bill, though the impact is indirect. That is those people who are at present Ontario Hydro employees in the area that is to be restructured but who ought not to transfer their employment from Ontario Hydro to the new hydro commission. Those employees of Ontario Hydro could well end up with a salary that has been red-circled by Ontario Hydro because their employment is surplus to Ontario Hydro's requirements in the area.

We should not be passing bills in this House which, while they are perhaps designed to give benefit to the hydro consumers, can very clearly be detrimental to the working people who have dedicated their

lives to the service of Ontario Hydro. Those people deserve better than this, and their working conditions and their future should be protected far better than this bill is protecting them.

I pass those comments on to the House and to my colleagues for their very serious consideration as a result of my experiences with hydro restructuring in Stoney Creek. I want to sum up by saying that our local hydro restructuring is not yet completed, but it may well be that, by the time it is, I could share even more wisdom with the members of this House. Unfortunately, we are proceeding through these things in such a rapid-fire order that I am not sure we are learning from one before we proceed to the next.

I hope the parliamentary assistant will realize the ministry's approach to these hydro restructuring bills is not acceptable to the working people who devote their lives to Ontario Hydro. It may indeed not be acceptable to the hydro consumers who are supposed to benefit, because the promised benefits may be virtually fictitious.

**Mr. Ashe:** Mr. Speaker, I will try to cover some of the points made by the member for Sudbury and the member for Sudbury East. Some are somewhat duplicated; so I will try not to cover them twice wherever possible.

There is no doubt about the important issue in this legislation. It is fully recognized; it was identified in the statement by the minister in the House, and I identified it earlier this evening. The member for Sudbury and the member for Sudbury East know that it is or if they would rather wait until next year, which is what we were originally going to do, instead of using what they call piecemeal legislation, then so be it; it is entirely up to them.

We are quite happy, as we always are, to co-operate with the wishes, particularly of the member for Sudbury East. That was his word—I made a particular note of it—piecemeal. That is fine; I do not deny the charge that this is piecemeal legislation. We did not want to go this way; we went this way to accommodate the wishes of the members, to accommodate at least one aspect of the service recommendations of the study team and, most important, to accommodate the people living in Broder-Dill, known as ward nine in the city of Sudbury.

If it is the wish of the members representing that area to leave it, that is fine. Let them just tell us and we will not go forward with the bill. We would be quite happy to put it on the shelf until next spring. They just have to let me know.

A lot of references were made to the difficulties that have been encountered in trying to come to a consensus and a conclusion as to how to reorganize or restructure the whole of the Sudbury region. There is no doubt what part of the problem is, contrary to the reference made by the member for Sudbury. He made reference to the length of time the study team has been in operation. He made reference to Hogg and seemed to say they are both saying the same thing; so why has the government not implemented it? Obviously he is not fully aware of the background on the issue and the differences.

That is exactly it. There are significant differences in the views as expressed by the study team and the principles as espoused by Hogg. They are not the same at all on many major issues, and that has been part of the problem. In the meantime, this legislation was introduced to try to alleviate the problems of some, namely, the Broder-Dill area.

It is also our understanding, as I think was referred to particularly by the member for Sudbury, that the rate impact upon the rest of the consumers within the present Sudbury hydro system is anticipated to be something in the area of one per cent and one per cent only. I do not think that is significant, but it does give a significant relief to those who are being brought into the system, and I am sure it is well appreciated in that area.

There were some references made by both the member for Sudbury and the member for Sudbury East relative to the concerns within the legislation, particularly vis-à-vis the valuation of the system. As we identified and acknowledge, there is no doubt that if the system ultimately, in one way or another, is to be expanded within the rest of the boundaries of the city of Sudbury, particularly that service to which the reference was made, Copper Cliff, then we feel that is the time, if there is any consensus over the next number of months—the time really does not matter—to look at the value of the system.

There seems to be, if you will, a willing buyer and a willing seller of the systems, and we are quite prepared to be of assistance. Ontario Hydro also is quite prepared to be of full assistance at that time to the degree of its technical information, its valuation and the figures it has in the system. They do not feel they should be out doing any physical inventories on the part of the local utilities, because that really is the job of the local utilities. Ontario Hydro has given us every



assurance that, if it is asked by the parties that may ultimately consummate a sale, it will assist in every way possible to help come to a proper evaluation of the system.

I think there is general agreement and there is no doubt that the system will need considerable upgrading, and undoubtedly that will ultimately be reflected in the value of the system before any transfer would take place.

There have been several references to the grant in aid program, and I hope this has already been clarified for the members by a letter sent by the minister to the member for Sudbury East with a copy to the member for Sudbury. There is a misconception even by the study team director, who is the chairman of the present hydro system in Sudbury, about the original purpose of the grant in aid program. Contrary to his view, the program was a grant to improve the financial viability of the rural power district.

This was obviously recognized by the Hogg recommendation. The member for Sudbury read it but I think it is worth repeating: "Past grants in aid from the provincial government associated with rural distribution facilities [should] remain with the consolidated rural power district." The policy in that regard has been consistent through the nine previous pieces of legislation and, when one looks at the background of the philosophy behind the grant originally, it is consistent.

In the case of Thunder Bay, that was not the grant in aid being deducted. There were, as I understand it, some separate circumstances there at that particular policy time which warranted a grant from the government of Ontario. Although I am sure the dollars and cents probably equated to those numbers, it really was not from the rural system.

**Mr. Martel:** Give us a grant. We won't reject a grant.

**Mr. Ashe:** I appreciate that.

10:20 p.m.

The honourable members of course know that any time we are taking something or would intend to take anything out of the rural system, we just compound a problem that is already there which we, the government, and Ontario Hydro with our direction, are trying to resolve. If we are continually taking away assets, or capital in the case we are talking about, we are going to compound that problem further, and that is why it was there to start with.

**Mr. Martel:** How?

**Mr. Ashe:** Because if we are increasingly taking capital out of the system, we are putting that much more onus on those remaining in the system to pick up the shortfall. Somebody still has to pick it up. That is why it was put into the system in the first place. The member is talking about taking away moneys they would get for the sale.

**Mr. Martel:** No.

**Mr. Ashe:** It is the same thing. We are taking money out of their pocket.

**Mr. Martel:** No. All we are talking about is that portion of the payment to the province already.

**Mr. Ashe:** An analogy was made by the member for Sudbury East in relation to the piecemeal legislation. As I say, if he does not want to proceed with this bill, that is fine. But the analogy was made to the sewer services that were extended to the various areas around the city of Sudbury.

It would be very interesting to look back in the records and see if the member for Sudbury East supported or, in fact, was vocally in disapproval of the extension of those sewer services to those areas. I suspect he may have thought they were a good idea, at least around election time.

Most of the issues raised by the member for Sudbury and the member for Sudbury East have been touched upon. I will now get back to the issues raised by the member for Wentworth (Mr. Isaacs). As a matter of fact, I think there was a comparison here too. I would like to know what the official position of the New Democratic Party really is in this regard.

The member for Sudbury said—again, I noted it specifically when he made the remark—there should be a regional hydro. I know from the past bill the member for Wentworth referred to that he also wanted a regional hydro.

**Mr. Isaacs:** That is right.

**Mr. Ashe:** Then put it on the record. If it is the position of the New Democratic Party that all the restructured utilities should be regional, that is fine. We will then know what its position is. But do not use it as an argument and, at the same time, come in here and be holier than thou on the whole issue. The whole thing is, there is no doubt about it, in the reports of all the study teams to date, including the one in Sudbury, it is the wish of the local people—even, I might say, in the case of Hamilton-Wentworth, where it was perceived there would have been financial benefits—that they do not want

a regional hydro. So this government reacts to the needs and wishes of the people even though the members opposite try to play both sides against the middle.

**Mr. Martel:** We asked for a grant in aid. Why do you not respond in that way conveniently? You pick and choose, don't you?

**Mr. Ashe:** No. Not at all.

**Mr. Martel:** Sure, you're responding to the people for that \$350,000—

**Mr. Ashe:** Oh, come on. That is ridiculous. The member is talking about apples and oranges.

The member for Wentworth also talked about fast action. How inconsistent can he be? When a bill sits around for six months he criticizes it. When it is brought through expeditiously, because some people want it brought through, regardless of which side of the House, he still criticizes it.

The member for Wentworth does not even know what the system is around here yet. He does not know of the discussions that have gone on in the past with the study teams. He does not know of the discussions that have gone on in the past with the members. He does not know of the discussions that have gone on in the past with the utility. He does not know of the discussions that have gone at all.

Even though he gets in on the issue at the eleventh hour, he figures that is the eleventh hour for everybody. Of course, that is not the case. The member should be consistent for once in his life.

**Mr. Martel:** Send it to committee.

**Mr. Ashe:** That is fine. It can sit in committee until next spring if the member likes. That is no problem at all. We have no problem with that. If the member wants to delay the bill, I can assure him the government has no problem with that whatsoever. The member can determine that right over there. The member for Wentworth also talked about the rate in Stoney Creek. As usual he and his colleagues are trying to play both sides against the middle. Sometimes they say: "Don't tell the local body, whether it is commissions or elected councils, what they should do. Let them decide themselves."

If he knew the issue and the subject, he would also know it is the local commission, established and put there by the council, that determines what the rate should be. It determines whether they should be higher, lower or the same. Which does the member want? Does he want us to go in and say they must be lower, or does he want the

local commission to decide what they should be? He should be consistent.

To my knowledge, we have had no great difficulty—I say great, because I cannot say there has been none—regarding protection of employees. But if there had been any significant difficulties in the past, I am sure they would have been brought to our attention, and none has been.

There is no doubt at all there is adequate protection in the earlier bills that encompassed the same general employee protection. We did have input from the various unions and employees involved, and that ended up in what we have here. The protection sections of this bill are entirely consistent with the other pieces of legislation, and I can assure the member they have served us, they have served the employees and they have served the new utilities well.

**Mr. Martel:** Can I ask the parliamentary assistant a question?

**The Acting Speaker:** You can ask him a question if you want. It is up to him whether he answers.

**Mr. Martel:** The parliamentary assistant said quite nicely that he listened to the people in the Sudbury basin and in the city of Sudbury. He said he took their advice and went along with them. He said we want it both ways. I would like to read just one short paragraph—

**The Acting Speaker:** Just a very brief question. I am not going to allow you to read anything into the record at this point. You may ask a brief question if you have it.

**Mr. Martel:** The city asked for three things and the parliamentary assistant has rejected all three of them. How can he stand in his place and say they accept what the city requests and that we want it both ways when the commission asked for three things and he turned them down? The parliamentary assistant cannot have it both ways.

**Mr. Ashe:** Mr. Speaker, I was talking about a regional utility versus a local utility. We take the wishes of the local people. Also, there is no doubt at all that every utility, every council, would ask for money for nothing from any source they can get it. I do not think that is wrong. I would and I did when I was in their same place. But we are not even talking about the same thing.

Motion agreed to.

Ordered for third reading.

The House adjourned at 10:29 p.m.



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# **Legislature of Ontario Debates**

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, November 6, 1980

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, NOVEMBER 6, 1980

The House met at 2 p.m.

Prayers.

## STATEMENTS BY THE MINISTRY

### CONSTITUTIONAL REFORM

**Hon. Mr. Davis:** Mr. Speaker, I am tabling today for the information of the members and the citizens of Ontario a copy of a telex which I sent to Prime Minister Trudeau one week ago related to the ongoing national debate on the constitution.

As the telex clearly indicates, Ontario's support of the constitutional package is a matter of conviction and principle. We believe that moving ahead now, with the Queen as our head of state, with protection for mobility rights—the rights of Canadians to move and seek opportunity from province to province—with protection for basic human, political and legal rights and with adequate guarantees for minority rights in the area of education, with a constitution which can and will be patriated, all this is of critical importance now.

The Business Council on National Issues, representing major investors and employers at the heart of our economy, wrote to all first ministers before the September conference urging resolution of these matters in the interest of economic stability and climate. We agree with their concern and conviction that the sooner we can resolve the constitutional debate the better.

If one examines the reasoned opposition to progress now, typified by the concerns of the Premier of Saskatchewan and many of the concerns expressed by Premier Hatfield, opposition leader Clark and others, it often centres on the amending formula, the use of a referendum and the issue of appropriate parliamentary debate. Matters of resource ownership are not a problem for this province, as we agree with the proposed changes to the resolution which would protect provincial resource ownership.

Our telex to the Prime Minister suggested changes that we believe would broaden the base of support for the proposal in an overall sense by:

1. Limiting the unilateral capacity of any federal government now, or in the future, to call a referendum prematurely;

2. Ensuring provincial involvement in the questions placed before the public in any ultimate referendum.

As I indicated in the telex, we suggest these changes in a spirit of conciliation with other constructive forces in the provinces and elsewhere who seek legitimate progress but are deeply concerned with the referendum procedures. I stress, however, that we continue to support the ultimate role of a referendum, provided it is used in a fair and balanced fashion.

When politicians appear perpetually unable to reach any agreement, the ultimate right of voters to intervene on matters of constitutional significance is, in our view, beyond reasonable challenge. Those who negotiate in good faith have nothing to fear from the ultimate assertion of the will of the people. For those who would approach all negotiations with a will to frustrate national progress, the referendum would be a helpful reminder of the public's right to reasonably balanced negotiations.

The telex also makes our government's views known on full and appropriate debate in the House of Commons after the report of the joint committee of the Senate and the House of Commons is received. The integrity of the entire process would not be enhanced by undue limitations on parliamentary debate.

Ontario has made these recommendations in the hope of contributing in a positive sense to broadening the consensus. The Prime Minister's response, which I am also tabling today, indicates support for our concern on limiting the right to introduce a referendum; the federal government has undertaken to introduce an amendment to that effect. There is also acceptance of the need for some mechanism to ensure balance in the drafting of any referendum question.

The government will monitor progress on these and other issues at the committee very closely, and keep under active consideration the question of having provincial representatives advance concerns before that committee. The process of negotiating must con-

tinue in good faith, and flexibility on all sides will continue to serve the national interest.

### HOSPITAL INTERNS

**Hon. Mr. Timbrell:** Mr. Speaker, today I would like to table the agreement that has been reached by the Professional Association of Internes and Residents of Ontario and the Ontario Council of Administrators of Teaching Hospitals. I am sure all members are aware that an agreement was reached yesterday after a series of long negotiation sessions.

I would publicly like to thank the members of the interns' and residents' association for the responsible way in which they conducted themselves during the strike period. As the House knows, they maintained essential services in the hospitals and were prepared, of course, to assist immediately if some disaster or other emergency arose.

I would also like to thank their executive, who represented them forcefully and fairly at the bargaining table. In addition, I would like to thank the executive of the Ontario Council of Administrators of Teaching Hospitals who, in addition to carrying out their responsibilities for administering major hospitals in the province, spent many long hours working out a settlement.

Finally, I wish to thank the administrators of all hospitals affected and the staff of those hospitals, who worked very hard to ensure adequate service levels were maintained throughout the strike period.

### IMMUNIZATION AWARENESS MONTH

**Hon. Mr. Timbrell:** Mr. Speaker, I have a second statement. As many of the members will already be aware, my ministry has traditionally promoted immunization awareness during the month of November. I would once again like to bring Immunization Awareness Month to the attention of the members, and to outline briefly some of the steps my ministry is taking to ensure that Ontarians are both informed and protected.

Monitoring the incidence of communicable diseases in Ontario and developing guidelines for their control are part of the critical role played by the communicable disease service of the ministry's public health branch. Through this monitoring process, it has become evident that serious increases have occurred over the past year in the incidence of measles—a disease that, although regarded as trivial by many Ontarians, can lead to

very serious complications. It must, therefore, be a major focus of our attention.

As a result, we will be making a concerted effort during Immunization Awareness Month to inform the public about the incidence of the disease, its seriousness and the ease with which Ontarians can avail themselves of protection.

Although my ministry's communications activities will play an important part in this educational process, we are also fortunate to have the full co-operation and support of the public health units across the province, which will be spreading our message at the local level where we believe it to be most effective. At the provincial level, we will be using newspaper advertising in all dailies and weeklies across Ontario to remind our citizens about the importance of immunization. Locally, all health units will be receiving posters, pamphlets and advertising which they can use in their own communities.

I am pleased to report that a new vaccine, providing protection not only against measles but against mumps and rubella or German measles, is in excellent supply and is being supplied to physicians, clinics and public health units at no charge.

2:10 p.m.

While focusing attention on the need for each Ontarian to take a greater interest in his or her personal health, we will take advantage of the opportunity to introduce Ontario's new immunization record card. The card is the result of careful study not only by staff of my own ministry but by representatives of the Society of Medical Officers of Health, the Ontario Medical Association and the Association of Nursing Directors and Supervisors of Official Ontario Health Agencies.

The new record card is designed for use by Ontarians of all ages. It provides a lifetime record of immunization and provides all Ontarians with a simple means to ensure that they are fully protected against diseases such as diphtheria, whooping cough, tetanus, polio, measles, mumps and rubella.

The immunization record card is designed to fit easily into a wallet or purse. We will be urging all Ontarians to obtain a card from their physician or local health unit and carry it with them at all times. Health units have been asked to order the number of cards they will require.

The promotion of immunization can never be considered fully completed, as new families are formed and children enter school



each year. Additional steps will be taken in the months ahead to maintain and further improve the level of protection for Ontarians.

In January, for example, we and the Ministry of Education plan to install a program to collect immunization data from parents of children entering the school system for the first time. This will assist medical officers of health in setting up the appropriate clinics, attendance at which is, of course, voluntary.

In March we hope to distribute an immunization promotional kit to health units and possibly launch an advertising campaign next fall to encourage immunization of both children and adults.

This November it is our aim to make every Ontarian more aware of the seriousness of communicable diseases, the protection available to all of us as an OHIP benefit and, most important, the role each of us must play to ensure that epidemics remain a thing of the past.

#### SPECIAL OCCASION PERMITS

**Hon. Mr. Drea:** Mr. Speaker, on July 1 I enacted regulations to the Liquor Licence Act to ensure that there—

**Mr. Cassidy:** Mel Swart has won!

**Hon. Mr. Drea:** If the leader of the third party wants to ride on my coat-tails, that is fine by me.

On July 1 I enacted regulations to the Liquor Licence Act to ensure there were no abuses of special occasion permits issued for social or nonprofit functions. To make sure there would be no profit to the individual operating the event, price ceilings were established. Since fund-raising by special-occasion-permit evenings is an integral part of the financing of community organizations, it was clearly understood these organizations would continue to operate without any price controls or other restrictions.

The intent was to eliminate the abusers so that the fund-raising organizations could maximize the profits from their evenings. The regulations did eliminate the abusers but, because of the confusion and a delivery system that cannot cope with the complexities of the fund-raising organizations, a severe burden was put on these organizations.

The new regulations are revoked. They will not be enforced from today onward. Formal revocation will take place in the next few days. Also revoked is the regulation limiting the number of permits issued in any one year.

**Mr. Swart:** Mr. Speaker, I believe I have a legitimate point of order. I believe the rules require that a minister table a compendium of background information when he makes a statement. I would ask that you direct him to do that and we will know the large number of letters he has received which caused this flip-flop.

**Hon. Mr. Drea:** If the honourable member will say that one more time, I will not revoke them; I will let the formal revocation process keep going. Were I to wait until the formal revocation process could take place, many people would be adversely affected. I have said I will not enforce the existing regulations; they are revoked. I am not going to file anything else.

**Mr. Speaker:** Does the minister have any background information that he might wish to table with the policy statement?

**Hon. Mr. Drea:** I read it.

**Mr. Speaker:** There is not any other?

**Hon. Mr. Drea:** Mr. Speaker, I read it.

#### INDUSTRIAL PARKS PROGRAM

**Hon. Mr. Grossman:** Mr. Speaker, one of the keys to Ontario's continued industrial strength is our large and diverse inventory of reasonably priced, serviced industrial land. For the past five years our government has been instrumental in stimulating economic growth in the northern and eastern parts of the province through the mechanism of the Ontario industrial parks program. This program has assisted local municipalities in developing the serviced land necessary to attract new industries and create new jobs.

This afternoon, I would like to make two announcements relating to this initiative. First, the industrial parks program, which has been in effect since 1975 and was scheduled to expire this year, will instead be extended for one more year. Second, the program will be expanded to cover all regions of the province, with the exception of the Metropolitan Toronto and region area where large amounts of fully serviced industrial land are already in place.

Some areas of the province have been limited in their ability to capitalize on industrial opportunities. By both extending and expanding our industrial parks program we have an opportunity to assist those communities in developing to their full potential. The program, which is administered by the Ontario development corporations, provides loans to both municipalities and the private

sector. The loans, which extend over a 15-year period, offer an interest forgiveness feature and a partial deferral of principal repayment.

During the five years the Ontario industrial parks program has been in place, approximately \$4 million worth of loans have been extended for nine industrial parks. These loans will result in the development of 422 acres of land and the creation of more than 800 new jobs. We anticipate that with the extension of the program and its expansion to other regions of the province, especially areas such as the Niagara Peninsula and other parts of southwestern Ontario, our government will continue to participate fully and effectively in the development of industrial parks.

## ORAL QUESTIONS

### ONTARIO WORLDAIR

**Mr. S. Smith:** Mr. Speaker, I have a question for the Minister of Industry and Tourism. Could the minister explain why the Ontario Development Corporation, and apparently indirectly the government, is putting Ontario Worldair Limited into receivership and, in effect, putting the company out of business, when it appears a further line of credit to meet unforeseen contingencies would keep the company operating until next summer, at which point the company's contracts for tourist traffic will turn its financial situation around?

In particular, does the minister recall his release of August 18, "Trillium Wings It to Europe," explaining the great potential of this company? Why would the ODC not take into consideration the unforeseen circumstances and allow this company to keep going until the point where I think even the minister's own officials believe tourist traffic will turn the financial situation around, given that there are some 170 jobs at stake and about 20,000 tourists who will be coming to Ontario on this airline, according to its present bookings?

**Hon. Mr. Grossman:** Mr. Speaker, I would point out to the House that my own officials do not believe the situation can be resolved in the next little while, or they would have recommended to ODC that financing to Ontario Worldair continue. It was, in fact, a difficult decision for ODC to take, but it was faced with approximately this situation: The current loan available from ODC to Ontario Worldair was about \$1 million. It was the estimate of all of those involved with Ontario Worldair, including other

financial institutions, that in order to get Ontario Worldair through the next year or so, approximately \$2 million more would be required.

Ontario Worldair was unable to raise that elsewhere. It essentially put the proposition to the Ontario government that to ensure the survival of that company it would need us to participate to the tune of \$2 million, in addition to the \$1 million already outstanding. Even on that basis it was quite doubtful that the company would survive in the longer term.

2:20 p.m.

In essence, we indicated we would be willing to continue to keep our support out there, provided Ontario Worldair might find some new equity rather than looking to the government of Ontario for \$2 million more of equity to keep the company not afloat, but in the air.

**Mr. S. Smith:** The company has contracts in hand to bring in approximately 25,000 European tourists to Ontario next summer, which would mean expenditures in the province, according to the minister's own spinoff figures, of about \$40 million. The company claims it needs \$1.2 million rather than \$2 million, and the suggestion is that it has to go out and get equity capital for the Ontario Development Corporation to continue its debt capital.

Given these facts, does the minister not accept that it is unable to raise any equity capital in the circumstances in which ODC is unwilling to continue more assistance with debt capital? It is impossible for the company to get equity capital as long as the bank is calling its present loan. Nobody is going to put any equity into it in its present situation.

This means a large amount of money to Ontario. It is not as large a company as Massey-Ferguson or Chrysler; none the less 170 jobs are indirectly involved. Would the minister look at this matter himself and see whether it might be possible for the ODC to take some equity or, at least, to continue the line of credit until the company has tried to get equity capital?

**Hon. Mr. Grossman:** I am sorry if my first answer was not as complete as I thought it was. ODC has a \$1 million loan out to Ontario Worldair. Ontario Worldair itself acknowledges that extending a line of credit, a larger loan in other words, does not solve the problem. It cannot afford to carry more debt; it acknowledged it does need equity.



The company approached ODC and asked if it would acquire up to \$2 million worth of equity in exchange for owning 50 per cent of Ontario Worldair. ODC indicated it would leave its loan out there and perhaps even consider extending it if some new equity could be brought into the company which would solve the company's debt equity problem.

No equity was out there. No private investor saw Ontario Worldair as having a secure enough future. Therefore, Ontario Worldair came back to ODC and asked if, given the lack of confidence the private sector has in the future of the airline, the Ontario government would buy 50 per cent of the airline for \$2 million worth of equity. In simple terms, to protect its mandate with the public and in trying to expend its \$37 million annual budget, ODC had to decide whether a \$2 million investment in this airline was to the benefit of the people ODC is trying to serve.

We should remember that those tourists coming to Canada will undoubtedly find alternative ways of getting to Canada. Ontario Worldair, by its own admission, essentially went after a healthy tourist market, where there is a great demand for tourism to Canada, and essentially undercut its competitors to get that business. The net effect is that those tourists will find a way to get to Canada. There is lots of space available. They will end up spending a little bit more money on other airlines, but they will get here and the taxpayers of Ontario will not be putting \$2 million into a company that most experts believe—in fact I believe all experts agree—cannot make it.

### LIQUID INDUSTRIAL WASTE

**Mr. S. Smith:** Mr. Speaker, I have a question of the Minister of the Environment. The minister will recall that when he detached his ministry's support from Walker Brothers he made quite an issue of the fact. I quote from his letter: "It was my staff's understanding that the transport of the sludge," this is the Ford Motor Company sludge, "would cease early in September 1979." He protested the innocence of his ministry and the guilt of Walker Brothers with that statement.

Is the minister aware of the letter sent by the company to Mr. Caplice of the Ontario Ministry of the Environment in August 1979, stating very clearly that these sludges would continue to be taken at the quarry? I now read the operative paragraph: "Unless we

have written notification that we cannot accept these wastes, we will continue to do so until January 1, 1980, by which time we hope to have further direction from the Ministry of the Environment as to the disposal of these wastes."

May I ask, first, was such written notification ever given to the company that it was not, in fact, to continue disposal until 1980, as it had said it would do without such written notification?

**Hon. Mr. Parrott:** Yes, I was aware and we are now aware of that letter. I think the important thing to consider in this regard is the fact that the new certificate of approval, which has been issued since that date, does not permit that activity at this time, nor will it in the future.

**Mr. S. Smith:** Since the company wrote to the ministry and said very plainly, "Unless we have written notification otherwise, we will continue to put the sludge in the quarry until January 1, 1980," and since no such written notification was ever received by the company, does the minister not accept some responsibility on behalf of his ministry? How can he justify a letter saying, "It was our understanding that it would cease early in September 1979," when he had a letter on record saying it was not going to cease until January 1980 unless written notification was given by his ministry?

Why does the minister not realize that his ministry gave permission to the company by its agreement to this? This was received by his ministry; there is a proper stamp on it and so on. It was even discussed in his ministry, as he knows, and there were some objections within his ministry but it was accepted. Why is the minister now rushing to blame Walker Brothers Quarries for having gone against the so-called understanding when it is obvious his ministry knew perfectly well what was happening?

**Hon. Mr. Parrott:** Mr. Speaker, I can do little more than repeat what I said on a previous occasion and indeed in the response here today. It was the understanding at that time. More particularly, the important thing to remember is that that practice has been eliminated by a written piece of material called a certificate of approval that denies that possibility—

**Mr. S. Smith:** When?

**Hon. Mr. Parrott:** Now.

**Mr. S. Smith:** Now?

**Hon. Mr. Parrott:** Certainly. That is not possible now. That is the important thing to

understand. Is the Leader of the Opposition now defending the company, may I ask?

**Mr. Swart:** Mr. Speaker, a supplementary: In view of the fact the minister wrote the letter dated October 16, which stated the ministry had no knowledge of this chromium sludge being transported to the Thorold site after early September, am I correct in assuming, therefore, that no tests were taken on more than one million gallons of chromium sludge to see that it was within safe limits? In fact, it could have been hazardous sludge that was transported there in that three-month period.

**Hon. Mr. Parrott:** Mr. Speaker, the member asked if he was correct in making that assumption. I say he is incorrect in making that assumption. Tests were made.

**Mr. S. Smith:** Mr. Speaker, I did not take an extra supplementary on the last question but on this one I do really beseech you, sir. The point at issue, and I would ask the minister to address this directly, is that the minister has been taking the public position in this letter that his ministry has been innocent in all this and totally taken by surprise when it came out that Walker Brothers had been accepting this sludge and that it did not cease in September 1979 to accept the sludge. We have here clear evidence that the ministry was told that practice would continue until January 1980 and that it knew full well the practice would continue.

**Mr. Speaker:** That is repetition.

**Mr. S. Smith:** It is certainly a repetition. But I would ask the minister, will he now admit that instead of pretending that his ministry is shocked to learn of all this, his ministry knew precisely what was happening and his officials simply did not tell the minister what was happening?

**Hon. Mr. Parrott:** It really is hard for me to understand why the Leader of the Opposition now wants so desperately to defend that company. It is a rather surprising change for the Leader of the Opposition. However, I will repeat as often as is necessary, we think it is awfully important—

Interjections.

**Mr. Speaker:** Order. Do members really want an answer?

2:30 p.m.

**Hon. Mr. Parrott:** What we have is interim certificates of approval. That permits the ministry on every occasion to update the terms of reference on which sites can operate. I think this is a classic case of where the

system is working so very well. We updated that system to stop a practice we think should no longer exist. That not only was done in this instance, but it will continue to be done in all kinds of instances across this province where we see new technology able to handle methods—

**Mr. S. Smith:** Withdraw your statement of October 16, 1980. Withdraw the statement; it is false.

**Hon. Mr. Parrott:** That is not true. That is close, Mr. Speaker, to making me ask you to make a ruling. I will not, but I thought I heard the word "false."

**Mr. S. Smith:** Yes, it is false.

**Hon. Mr. Parrott:** Well, that is not correct; I will put it that way.

**Mr. S. Smith:** On a matter of privilege, Mr. Speaker: I refer to a false statement that was issued to this House by the minister. I ask the minister to acknowledge that his statement was false. He says, "It was my staff's understanding that the transport of this sludge would cease in early September 1979." Here is a document showing clearly that his staff knew it would continue until January 1980. Let him stand and admit that his statement to this House on October 16, 1980, was in fact a false or incorrect statement.

**Mr. Speaker:** It is clearly a difference of opinion.

**Mr. Cassidy:** I might add, Mr. Speaker, never were more stable doors closed after so many environmental horses had bolted than by this particular Minister of the Environment.

I have received a detailed memorandum of the meeting between senior officials of the Minister of the Environment and 21 representatives of companies that are major generators of liquid industrial waste. The meeting was held on October 22 at the Park Plaza Hotel. I have a question for the Minister of the Environment arising out of that memo.

The memo indicates that the chief executive officer of Stelco, John Allan, tried to promote the idea of getting one new site for liquid industrial waste disposal approved through the medium of a combined industry-government effort. In his view, we are told, this would provide a forum for clearing public resistance and would in effect produce a fresh start.

Could the minister tell us whether he supports the need for a fresh start in liquid waste disposal and whether he believes the



only problem in disposing of liquid waste is getting rid of public resistance, as the memo suggests?

**Hon. Mr. Parrott:** Mr. Speaker, I had the pleasure of discussing this with my deputy. I could have saved the leader of the New Democratic Party a lot of trouble if he had simply asked us directly for not only the agenda but any memos that resulted before or after that meeting. He is welcome to all that information. I would be very happy to give it to him. Let me put that on the record.

It was very definitely a meeting held to try to discuss this major problem. If the honourable member thinks the deputy was in error in having a meeting with them he is dead wrong. I think it is absolutely essential that this ministry, myself, my deputy, whoever in our ministry, consult not just with the industry or the generators, but with the haulers, the environmental protectionist group, you name it. We are there and we are going to meet and we are going to understand their position and we are going to respond accordingly. It is that simple.

**Mr. Cassidy:** Since this is a ministry that meets on a cosy basis with the generators of liquid industrial waste, but then puts itself in a position of confrontation with citizens concerned about the environment and municipalities that are trying to protect the environment in their own areas, does the minister agree with the finding reported from that meeting that there are no technological barriers to disposal of liquid wastes, only political ones?

Does he believe that what is needed, in other words, is a public relations effort to persuade the public to accept liquid waste? If that is the position of the ministry, why has the ministry prepared draft legislation that would allow the provincial government to override municipalities when they seek to protect their own citizens from the bungling of this ministry in the matter of liquid industrial waste?

**Hon. Mr. Parrott:** The question is rather long, Mr. Speaker. Never has this ministry or this government said it believes in the dumping of untreated waste on the land. In fact, the member knows and I know that this jurisdiction is in the leadership position, the foreground, the cutting edge, however we want to express it, in the treating of liquid waste, and we will continue to be in that position and it requires that we consult with all of those groups.

There are some technical problems, but it is more than just a technical problem and

the member can see that easily for himself. He knows how difficult it is, and I understand those concerns and we are trying to address them. Fortunately, in this province we have perhaps the most open process of any province to address those problems. The member is always asking for public consultation. I am absolutely amazed that when we go to that public consultation process, he finds something sinister in it. He should quit looking under every rock.

**Mr. Isaacs:** Supplementary, Mr. Speaker: If the minister says it is a totally open process and his ministry is working to try to find solutions, why was the meeting told there are no technological barriers to the disposal, simply political barriers in that the public does not want waste disposal sites in its neighborhood?

Secondly, why did the meeting close with an agreement that the present small group of senior industry executives would continue to meet with Ministry of the Environment officials, but it remains clear that initiatives were not mapped out at the meeting nor are they likely to be under the current environment? When is the minister going to come to grips with the problem and make the fresh new start on liquid waste disposal that this province so desperately needs?

**Hon. Mr. Parrott:** Mr. Speaker, I think the member has not been staying with it, if I can put it in those terms, to see and understand what has been done in the last year and a half or two years to deal with the treatment of waste.

He says there are no political considerations. I find that just a little hard to understand when I know that during this last weekend that particular member took a journey down to Harwich township and I did not find any increase in understanding because of his visit. Indeed, I think the member opposite made every effort to make it a political issue in a particular riding a long way from his own jurisdiction.

**Mr. McGuigan:** Supplementary, Mr. Speaker: Would the minister recognize that his bungling of his ministry has completely removed any trust the people of Harwich may have had in his ministry and he should now make a fresh start, take a set of criteria and search for a site on the basis of the criteria rather than on the basis that there is already a dump established in that area?

**Hon. Mr. Parrott:** Mr. Speaker, I would be more than pleased if the member who asked that question wanted to submit several

letters from his own constituents who have indicated they have a lot of trust in my sincerity and my trustworthiness. It is rather an interesting comment from members of his own riding.

Indeed I had the privilege of being in Huron-Middlesex on Monday and the member for Huron-Middlesex (Mr. Riddell), a member of his own party, made some very nice comments about myself and my ministry. It was rather interesting. My response was that he should inform his leader of that.

What I am trying to get at, and what I do want to say in a very serious way, is that the new start started two years ago with a declaration of war on the landfilling of waste. We made it very clear that it was going to stop and it is going to stop. Nothing is more important to this government than to stop the untreated waste going on to our lands and into our streams.

2:40 p.m.

**Mr. Cassidy:** When the Minister of the Environment declares war and then keeps dealing behind doors with the polluters, I have some questions about it.

**Mr. Speaker:** A new question.

**Mr. Cassidy:** I am sorry. Should I not have said that, Mr. Speaker?

### CONSTITUTIONAL REFORM

**Mr. Cassidy:** I have a question for the Premier concerning the divisive remarks which were made by the Prime Minister of Canada last night at the banquet that was held here in Toronto, when he accused the Treasurer of Ontario (Mr. F. S. Miller) of parochialism and accused Ontario of objecting to economic growth in western Canada.

Can the Premier tell us if the government plans in the mini-budget to protect Ontario's industrial heartland from the inadequacies of the federal Liberal government, inadequacies which have been supported by the Liberal opposition here in Ontario?

Can the Premier tell us when he plans personally to visit western Canada and sit down with Premier Blakeney and Premier Lougheed to seek to head off the energy crunch the Liberals have caused and to seek a co-operative relationship between the energy-producing and the energy-consuming provinces?

**Hon. Mr. Davis:** Mr. Speaker, I tried to listen very carefully as the honourable member was reading that question prepared by somebody in the research staff who really

hadn't done very much homework, which is rather customary, although I always thought his caucus did a little better research than some others that I can mention but won't.

I sense there were three or four questions inherent in what was to have been one question. The first question was really not a question, with respect; it was an observation made by the honourable member about remarks made by the Prime Minister of this country in an address to a rather partisan group, I gather, last evening, where I am sure all the members opposite were present.

**Mr. Nixon:** Mostly Tories.

**Mr. Peterson:** Only the Tories can afford those things.

**Hon. Mr. Davis:** Were you all there? Were you all there?

**Mr. Speaker:** Order.

**Hon. Mr. Davis:** I am told that at the last one the members opposite were at with the Prime Minister they had to tell him to stop saying that—

**Mr. Speaker:** Order.

**Mr. Foulds:** The Speaker actually used the gavel.

**Hon. Mr. Davis:** Mr. Speaker, I now know that if there is a shortage in one particular skill, carpentry, you have great skill with the equivalent of the hammer, and you would have that future career.

**Mr. Sargent:** Hit him over the head with your gavel.

**Hon. Mr. Davis:** Listen, at least if I were hit over the head I would feel it, unlike the member for Grey-Bruce.

**Mr. Speaker:** Back to the question.

**Hon. Mr. Davis:** I didn't mean to say that, Mr. Speaker. I really need some direction because I didn't really sense a question in the large and lengthy preamble.

**Mr. Wilfman:** Is the Premier going out west or not?

**Hon. Mr. Davis:** No, I haven't planned to go out and meet with Premier Blakeney and Premier Lougheed, if that was the substance of the question.

**Mr. Cassidy:** Will the Premier not tell the Prime Minister of Canada that Ontario is sick of being used as a whipping boy, that we are sick of federal Liberal attempts to pauperize the economy of Ontario and that it is time we had some economic planning for Canada and not just for parts of Canada, economic planning that would do far more than the half-assed budget that we had from



the federal Liberal Party and which has now been endorsed by the Liberal Party of Ontario?

**Hon. Mr. Davis:** Mr. Speaker, I really didn't hear all of the question asked by the honourable member. I heard one part of it and, knowing that he wants to maintain the dignity of this House, I won't ask him to repeat it. Perhaps even Hansard won't bother to record it, which would be a very good thing, it really would.

I have made my views known to the present Prime Minister, the former Prime Minister and the present Prime Minister who was the former Prime Minister once removed, in terms of federal—

**Mr. Peterson:** That is the most profound thing the Premier has ever said.

**Hon. Mr. Davis:** I am just telling the member that all he has to do is read very carefully the presentations this government has made to all first ministers' meetings related to the economy of this country. If he takes a look at what the Treasurer of this province said to the Minister of Finance, I think sometime in September, relating to the then proposed federal budget, he will find that the views of this province, very clearly stated to the government of Canada over a period of time, are that it should be giving far greater priority to the economic activities in this whole country.

What is unfortunate in terms of the first question asked is the fact that the Prime Minister of this nation misunderstood or did not read carefully what the Treasurer of this province said. No one is objecting on this side of the House to the economic development of western Canada. That is fundamental to our prosperity and it is fundamental to the future of this country.

What the Treasurer of this province indicated was, in that a portion of revenues would be flowing into the western development fund, consideration should be given as well to some of the same issues here in this part of Canada. I think he referred in specific terms to the improvement of the rail corridor from Windsor to Quebec. That would be far cheaper than building the double track mentioned in the last federal campaign by some Liberal minister who did not really understand what it meant to say there should be double tracks heading across the west.

I would say to the leader of the New Democratic Party that I am surprised that implicit in his question is a very real criticism

of the Premier of Saskatchewan. What need is there for me to visit with the Premier of Saskatchewan? Is the member saying to me that he is opposed to some of the energy policies of the government of Canada? Is he by implication suggesting that he is being narrow-minded and parochial? I am surprised that the leader of the New Democratic Party of this province would be that critical of the Premier of Saskatchewan, because that is really what he is saying.

**Mr. S. Smith:** Supplementary, Mr. Speaker: Has the Premier perchance received in writing from the leader of the New Democratic Party the viewpoint expressed by the acting leader of the New Democratic Party on Friday when he stood in this House and said: "Is the Premier prepared to recognize the fundamental inequity of the price at present fixed by the government of Canada for oil from Alberta when compared with the world price?"

Has he received any notification in writing from the New Democratic Party as to whether their official position has, in fact, been well stated by the acting leader of that party last Friday when he said that Mr. Lougheed had a justifiable grievance because he was forced to sell his oil at less than world price?

**Hon. Mr. Davis:** Mr. Speaker, I have received no notification from the official leader of the New Democratic Party. I pointed out to the leader of that party, I think on Monday, that it was fortunate he had returned to impress upon the member for Riverdale (Mr. Renwick)—the only thing I can say on this side of the House is, it is encouraging to find from our perspective that both opposition parties are now in favour of world price.

**Mr. Cassidy:** On a point of privilege, Mr. Speaker, I would ask the Premier to withdraw his remark which is entirely in error. The Premier knows it and he should not play those kinds of games here in the Legislature or anywhere else across Ontario.

**Hon. Mr. Davis:** Speaking to that point of order, my only reply is to look at the member for Riverdale and see the smile on his face. He knows that what I said when he made those observations is abundantly true. But I am also prepared to say that the member for Riverdale is a very decent individual and if he wants to change his mind, I would be the first to accept whatever change he wishes to make.

Interjections.

**Mr. Di Santo:** Mr. Speaker, a supplementary: Does the Premier not realize that by playing partisan and parochial games here in the House, he is creating a difficult situation in the country?

**Mr. Peterson:** And in your party.

**Mr. Rotenberg:** Who is playing parochial games?

**Mr. Di Santo:** In view of the fact there is a widespread hostility towards Ontario in every other region of this country, including Quebec where both the government and the opposition told the select committee that the relations between Ontario and Quebec had broken down mostly because of this government, does the Premier not think it is important for this province at this point to play a role in the interests of the nation rather than to play partisan politics here in this House?

2:50 p.m.

**Hon. Mr. Davis:** Mr. Speaker, I would say to the member for Downsview, and I hope he is listening very carefully, that in terms of intergovernmental relationships between this province and Quebec on those traditional matters where we join together in solving certain common problems, they are still moving ahead; there has been no alteration.

If the honourable member is saying to me that he does not agree with the position taken by the Premier of this province, which has been supported by his own provincial leader, in terms of our views on the constitution, then I say to him, if he wants to change his position, he should do so. But let him not put the onus on me to solve the problems the member is having to accommodate the New Democratic Party in Quebec or in Saskatchewan. That is not my responsibility.

I realize the positions we have taken are not totally acceptable in some other parts of Canada; I know that. I say to the honourable member, with respect, there is no easy solution unless one is prepared to flip-flop, as I guess he would, on something as fundamental as this constitutional debate. I do not intend to flip-flop as he would suggest.

**Mr. Di Santo:** Mr. Speaker, on a point of personal privilege: The Premier is imputing motives to me that I never had. What I said was that the province—

**Mr. Speaker:** I think the record will show what the honourable member said. I listened very carefully and nothing that was said would infringe upon his rights as a member. I want to remind the honourable member

that it was just about 10 days ago that he complained about a lot of wasted time during question period. The record will show what was said.

#### HUMAN RIGHTS CODE AMENDMENTS

**Mr. Roy:** Mr. Speaker, I have a question for the Minister of Labour. Considering that the International Year of Disabled Persons will be upon us in less than two months, and considering that the minister has been making promises about amendments to human rights legislation—he made the promise in the throne speech in the spring, he made it hastily this summer before we broke off and he made it a few weeks ago this fall—can the minister give us an unequivocal commitment that he will introduce this legislation so it can be debated before the Christmas recess? When can the handicapped of this province expect action rather than just promises from him?

**Hon. Mr. Elgie:** Mr. Speaker, I think the handicapped can have very little doubt about the commitment of this government. It was made clear in a statement in this House in June. Those amendments, covering more issues than the issues related to the handicapped, on which we place special priority, will be introduced within the next few days.

**Mr. Roy:** What has caused the minister's delay in introducing this legislation? Is it concern on the part of some of his colleagues who are reluctant to see this legislation come forward? Can we rely on his statement today, more than we have been able to rely on the statements the minister made in the spring, summer and fall?

**Hon. Mr. Elgie:** I expect the honourable member always relies on my statements, because that is the kind of person he is; he is a person with honour.

Interjection.

**Hon. Mr. Elgie:** Hang on; the member is still on the operating table. Those amendments will be coming in within the next few days, in plenty of time for this House to debate them, and I think we should debate them very sincerely.

**Mr. McClellan:** Supplementary, Mr. Speaker: The minister is aware that under his proposed Bill 188, a board of inquiry under the Ontario Human Rights Code can deal with the question of reasonable accommodation only after it has substantiated a complaint of discrimination. Will the minister not agree that his amendments to the



code, which we now expect within a few days, should contain a reasonable accommodation provision that permits a board of inquiry to consider the denial of reasonable accommodation—that is, access to a facility or premises or equipment—as part of a complaint so that denial of reasonable accommodation can be considered discrimination itself?

**Hon. Mr. Elgie:** Mr. Speaker, I am not prepared to get into a debate on matters that are not before the House, but I hope to debate that particular issue very carefully and very fully when it is presented.

### LIQUID INDUSTRIAL WASTE

**Mr. Swart:** Mr. Speaker, my question is to the Minister of the Environment. Is the minister aware of a document entitled Hydrogeological Study Report: Proposed Solidification Plant Environmental Assessment Component at Walker Brothers Quarry, which reports borehole results in the proposed Walker Brothers Quarry solidification project and which says about borehole number 14: "One foot plus seam of grey viscous liquid waste about six-foot depth. Borehole terminated in fill at 20 feet. On completion of borehole, grey liquid waste fills hole to about six feet"?

Is the minister aware there is no licence of any kind to dump any waste in that particular quarry, and is he aware that his ministry received six copies of this back in January of this year? In view of the minister's knowledge of the breaking of his own environmental law, can we and the public assume that this is an indication of colossal indifference or even collusion on the part of his ministry when he continued to negotiate with Walker for that solidification project?

**Hon. Mr. Parrott:** Mr. Speaker, that was not the easiest question to follow from beginning to end. Would you agree that I might be wise to take that under advisement and try to answer the question in detail tomorrow?

### BRUCE TEACHERS' DISPUTE

**Mr. Gaunt:** Mr. Speaker, I have a question of the Minister of Education. Since this is the thirty-seventh day of the Bruce county teachers' strike with no progress being made, since the parties to the strike are not talking, and since one serious roadblock to the resumption of negotiations seems to be the preconditions to bargaining and the setting of those preconditions, will the minister com-

ment upon this and indicate what, if anything, she is prepared to do to see that the talks resume, because the parties have been negotiating since February 1979, there has been a factfinder's report and two mediators have been involved, all to no avail?

**Hon. Miss Stephenson:** Mr. Speaker, I shall most certainly attempt to discover whether there are preconditions set for the resumption of negotiations. It must be obvious to any group of adults involved in collective negotiations or collective bargaining that it is entirely inappropriate—indeed, bordering on the juvenile or even childish—to set preconditions before any negotiations can resume. I shall explore this and if any such preconditions are set it is my belief that they must be removed, because that is an inappropriate way in which to approach collective bargaining.

**Mr. Speaker:** A new question, the member for Dovercourt.

**Mr. Lupusella:** Thank you, Mr. Speaker. I have a question for the Minister of Labour—

**Mr. Sargent:** Mr. Speaker, I have a supplementary. We have a very serious situation in Bruce county and I demand a supplementary on this question.

Interjections.

**Mr. Sargent:** Why do we not stop playing games and all this phoney stuff the member is giving us and get down to business?

**Mr. Speaker:** Will the member please put his question?

**Mr. Sargent:** I would like to, if the interjections would stop.

Mr. Speaker, since the Minister of Education and the Premier do not have the political intestinal fortitude to bite the bullet and outlaw teachers' strikes, being a totally essential service, why should not school boards collect their own taxes? Secondly, if a home owner is paying from \$300 to \$500 in the educational—

**Mr. Speaker:** Order. That is not a supplementary. I will accept the first part of your question. Does the minister have a response?  
3 p.m.

**Hon. Miss Stephenson:** Mr. Speaker, I think the condition of my dentistry is quite adequate to bite a number of things, but I am not quite sure about bullets. I hope the honourable member is aware that this House approved a piece of legislation which guides and directs collective bargaining between teachers and boards. This piece of legislation is under review at the present

time. I hope the honourable member will permit that review to be completed and the appropriate modifications, if necessary, to be drafted and brought to this House. I hope he will do this rather than suggesting that on the spur of the moment, related to one individual strike, a right which is enjoyed by a very large number of people within this province and this country—and I might stress is enjoyed with equal responsibilities—I believe very strongly that the collective bargaining process should be encouraged to continue in this situation. I hope to see all the force that can be brought to bear by the Education Relations Commission and others and the pressure which the local members can place upon those coming to the bargaining table. With this, a solution appropriate to that situation may be found.

### WORKMEN'S COMPENSATION

**Mr. Lupusella:** Mr. Speaker, I have a question of the Minister of Labour. Can he confirm that he has already received the first report from the Weiler task force on the Workmen's Compensation Board? If so, can he inform the House when he will be tabling that report in the Legislature? Also, when can we expect the legislation to amend the Workmen's Compensation Act?

**Hon. Mr. Elgie:** Mr. Speaker, I have not seen the report. I understand it is now being printed, and I hope to be able to table it in the House some time within the next two or three weeks.

**Mr. Lupusella:** In view of the great concern of many workers who are now under WCB pension and who have received their pensions based on a system that is full of inequities, will the minister assure the House that the new legislation which improved the act will contain clauses providing the same improvements for present pensioners? In particular, will the present recipient of permanent, total and partial disability pensions be covered by improvements in the new legislation? Since it is now more than 15 months since the last increases in benefits took place in the summer of 1979, can the minister tell us when there will be an increase so that injured workers will not continue to face the erosion of their standard of living?

**Hon. Mr. Elgie:** I am sure the member does not wish me to comment on matters that are to be dealt with in the report. I cannot tell him at this time when new amendments will be submitted with regard

to the Workmen's Compensation Act pending the receipt of the report and comment on it.

### LONDON TRANSIT STRIKE

**Mr. Peterson:** Mr. Speaker, I have a question of the Minister of Labour. Will he be good enough to bring this House up to date on the status of negotiations concerning the strike of drivers of the London Transit Commission, and what he is doing to solve it?

**Hon. Mr. Elgie:** Mr. Speaker, I understand negotiations have been taking place for some time. My recollection is that they broke down a week or two ago. The mediator is remaining in touch with the parties; if he has any reason to believe there is benefit in bringing the parties together, he does so at any time.

**Mr. Peterson:** Why is it when the Toronto Transit Commission drivers go out, the minister brings them back by legislation after one, two or three days, yet this strike has gone on for almost two weeks? Why does he view it so very differently?

**Hon. Mr. Elgie:** I do not think there is any particular mystery about that. The member was here for the debate on the TTC situation. He will recall it was only because of the peculiar situation of a major metropolitan community, with the major problems it created economically, individually, personally and socially, that this government felt a need to intervene in that process.

**Mr. Peterson:** No wonder the minister does not have any able representation in London on his side.

Interjections.

**Mr. Speaker:** Order.

### AIR AMBULANCE SERVICE

**Mr. Foulds:** Mr. Speaker, I would like to ask the Minister of Health whether he has received my letter of October 27 with regard to one of my constituents, Mrs. Esther Brown. I raised this in the House last June. I wrote to him over the summer in regard to a hospital transfer. The woman was transferred back to the hospital in Thunder Bay. The ministry still refuses to provide that Ontario health insurance plan coverage as it should do, simply because Mrs. Brown was independent enough to be accompanied by her husband—instead of a trained ambulance attendant—although her husband had training; and because, although the hospital ordered an ambulance, she decided to take a taxi to the airport and went directly to a hospital



back in Thunder Bay. When is the minister going to reconsider that decision?

**Hon. Mr. Timbrell:** As soon as I see the letter.

**Mr. Foulds:** As a result of this case and many others, will the minister revise the unreasonable regulations that he now uses with regard to covering hospital services for specialist services, when people from rural parts of Ontario and northern Ontario are referred to medical centres such as Toronto for services not available in their home communities?

**Hon. Mr. Timbrell:** Mr. Speaker, I have been discussing that matter with a number of different organizations. I have also mentioned publicly that we are looking at proposals to fund the travel costs of teams of specialists who would operate out of major centres like Thunder Bay and Sudbury and go out into the more remote communities. In that way, we could go further to keep down the numbers of people who have to leave small communities, whether it be the Ignaces, the Fort Franceses or the Sioux Lookouts of this world.

We are also moving to expand our work in the area of telemedicine which, as the member knows, has worked very well at Sioux Lookout and is now being developed between the Lakehead Psychiatric Hospital and the Clarke Institute of Psychiatry as a further means of bringing specialist services into communities where they do not exist or do not exist in the numbers we would like. Yes, I am looking at that question to see if something can be done.

#### PREMIER'S POLICY SURVEY

**Mr. Breithaupt:** Mr. Speaker, I have a question of the Premier concerning the distribution by hand of a two-page letter from him in the Carleton riding of an item called, The Ontario Premier's Policy Survey. How many of these surveys are being distributed in Carleton and how many others are being distributed throughout the province? Are there any public funds being spent on this? Has the Premier now moved his office address to Suite 301, 180 Dundas Street West, as the reply envelope indicates? If not, whose office address is that?

**Hon. Mr. Davis:** Mr. Speaker, I can answer that very simply. There are no public funds.

**Mr. S. Smith:** The Premier was asked how many he had sent to Carleton and how many elsewhere.

**Hon. Mr. Davis:** I think quite a few have gone out in Carleton.

**Mr. Breithaupt:** Since the first question on the survey reads, "Is there any one thing you would like the provincial government to do that it is not doing or has not done," will the Premier share the results of that survey with the House so we will know his policy priorities for the next year?

**Hon. Mr. Davis:** I will be ready to share that information, which was obtained totally from nonpublic funds, as soon as the people opposite are prepared to share the information they have obtained by using the trunk lines of the public of this province to find out voter intentions.

**Mr. S. Smith:** A supplementary, Mr. Speaker: Since the Premier admits that this has been paid for strictly out of party funds and is strictly a party—

**Mr. Speaker:** That has been answered.

**Mr. S. Smith:** No. Since he admits it has been paid for strictly out of party funds, does he feel it is appropriate to be sending it out under the heading of the Premier of Ontario, Parliament Buildings, Queen's Park, Toronto? Will he admit that this is not an Ontario survey of any kind but simply a piece of advertising paid for by the Conservative Party for the Carleton by-election?

**Hon. Mr. Davis:** Unlike the Leader of the Opposition, Mr. Speaker, I never apologize for being Premier of this province. I do not try to be two people at once.

3:10 p.m.

#### APPRENTICESHIP PROGRAMS

**Mr. Mackenzie:** Mr. Speaker, I have a question of the Minister of Colleges and Universities. Can she respond to the concern of some of the employees—she is aware of it, I believe, from a letter I sent to her—in the Saltfleet campus of Mohawk College who signed up for industrial maintenance mechanic courses, 1,440-hour courses, on the clear understanding that at the end of the course they would have 660 hours credited towards their apprenticeship and who six months into the course were informed by an instructor that somebody had made a mistake and that they would not get the hours credited, only a recommendation?

**Hon. Miss Stephenson:** Mr. Speaker, is the honourable member suggesting there is no credit at all for the course? When did he send the letter to me?

**Mr. Mackenzie:** The letter was sent to the minister on October 30.

**Hon. Miss Stephenson:** At this point, I do not have the answer to the question the honourable member has asked, but it most certainly will be developed and submitted to him.

#### WINTARIO

**Mr. O'Neil:** Mr. Speaker, I have a question of the Minister of Culture and Recreation. Earlier this year the minister told us that during the latter part of the summer or the early fall he would announce the date that the Wintario capital grants program would be resumed and he would produce the new guidelines accompanying this program. Will he now share this information with the members of this Legislature?

**Hon. Mr. Baetz:** Mr. Speaker, we had intended to complete our study and our survey of the needs for the future Wintario program by this time, but the study has been slightly delayed. I can point out one good reason why: The Leader of the Opposition instructed his caucus not to co-operate with the study. I think the Leader of the Opposition recalls that instruction.

As I indicated earlier, we have every intention of introducing the new Wintario capital program in the very near future along with the guidelines our study has indicated and the priorities we think are appropriate.

**Mr. O'Neil:** I do not accept that argument from the minister. We have heard it so many times before that he certainly has to be inept in the job he is doing. We have had this excuse too many times. Will he tell me the real reason why he has not been able to prepare these guidelines and get on with this program instead of giving us these continual excuses?

**Hon. Mr. Baetz:** I remind the member opposite that, while we have been carrying out our study trying to set the new guidelines and trying to establish new priorities, we have continued to make grants under the old criteria. We have approved more than 30,000 projects to date and paid out more than \$251 million. We have committed an additional \$50 million. We are simply trying to move this backlog along. When that is complete, we will start the new program. I can tell the member we have not been sitting on our hands in this ministry; we have been working very hard. Very shortly we will start the new program.

**Mr. Roy:** Mr. Speaker, can I not ask a supplementary?

**Mr. Speaker:** No. The member has taken up five minutes of question period today just with his interjections.

#### WORKMEN'S COMPENSATION BOARD

**Mr. Di Santo:** Mr. Speaker, I have a question of the Minister of Labour. In view of the fact that Lina Agostino, an injured worker now employed with an ability centre, has been found by the rehabilitation department of the Workmen's Compensation Board not to be job-ready and therefore is kept there while the claims adjudication branch denies her supplementary benefits because in its decision of October 15 it said in its opinion her disability does not prevent her from resuming her job, and in view of the fact that this lady has been receiving \$50.05 weekly since last year, does the minister not think this behaviour of the Workmen's Compensation Board has nothing to do with the Weiler report or with the reforms he wants to introduce? It is only for better administration. People who are injured should not be shafted that way. What does the minister intend to do, and what does he suggest?

**Hon. Mr. Elgie:** Mr. Speaker, the board endeavours to deal with each case very appropriately and in an honest and open way. If the member has a complaint about a particular case, if he will send me the details, I will be glad to review it and report to him in the House or privately, whichever way he wishes.

#### NORFOLK TEACHERS' DISPUTE

**Mr. G. I. Miller:** Mr. Speaker, I have a question for the Minister of Education. Today I received a letter from one of my constituents with four sons in Valley Heights high school who are being denied their education. They have enrolled them in the Aylmer high school, which is 40 miles away, at a cost of \$360 per month, plus gas and car wear, plus their school tax. In view of the hardship both parents and students are facing because of the Norfolk secondary school teachers' strike, will the minister inform me if she is now prepared to intervene?

**Hon. Miss Stephenson:** Mr. Speaker, the member knows, because along with me he met the parents of students from the Norfolk area, that there is a procedure which must be followed at this point. I have to report to this House that while there are some boards



which do levy charges for the educational program of young people who are not resident pupils within their jurisdiction, many boards do not. In a case where hardship is a matter of concern, I think the parents could very easily approach the board under whose jurisdiction the children's education is being continued to ask them to please remove that levy at this time.

In many instances, the boards do just that. I am hopeful that the procedures being pursued at present to solve that strike in Norfolk will be successful relatively shortly.

**Mr. Speaker:** I would like to bring to the attention of members of the presence in our gallery of some distinguished guests who are here as guests of the Ministry of Labour. From the Tuscanny region we have a delegation led by Mario Olla, president of the Regional Department of Immigration and mayor of San Marcello Piastaisse. From the Umbria region we have a delegation led by Mr. Venanzio Mocchi, who is the minister responsible for the region of Umbria, and from the Lombardia region a delegation led by Mr. Sergio Moroni, the minister responsible for the region of Lombardia. Would you please welcome them to our gallery.

#### HALTON FINANCIAL DEFICIT

**Mr. J. Reed:** Last Monday, Mr. Speaker, I had a question of the Minister of Intergovernmental Affairs (Mr. Wells). It would seem that when Hansard was printed, on page 3994 reference was made to the good citizens of the former township of Nottawasaga. I should like to correct the record by pointing out that the question concerned the citizens of the former township of Nassagaweya.

#### PETITION

##### HOME HEALTH CARE SERVICES

**Mr. Wildman:** Mr. Speaker, I have a petition to present on behalf of the residents of the Goulais River-Havilland Bay-Batchawana Bay area who are currently denied home health care because of the lack of professional personnel.

It reads: "We, the undersigned, petition the Lieutenant Governor and the Legislative Assembly of Ontario about home health care services. We live in an area where due to the lack of professional personnel these services are not available. We therefore ask that

the Ministry of Health waive criteria service and provide ancillary services to patients who meet the criteria for eligibility"—

**Mr. Speaker:** Order. I am sure the member knows that is out of order because it prays for the expenditure of funds.

**Mr. Wildman:** No, it does not, Mr. Speaker.

**Mr. Speaker:** It does not?

**Mr. Wildman:** No. It just asks the ministry to waive criteria service.

**Mr. Speaker:** Go ahead. I thought it called for an additional service.

3:20 p.m.

**Mr. Wildman:** No, Mr. Speaker. The purpose of the petition is to ask them to change their criteria. They can decide afterwards whether they want to provide the service.

**Mr. Speaker:** Go ahead.

**Mr. Wildman:** They ask that the ministry "waive the criteria service ancillary services to patients who meet the criteria for eligibility for admission to home care and who do not live in an area designated to become covered by home health care due to the lack of professional personnel; and, in conjunction with the district health councils, increase the ministry's efforts to attract professional people to areas which at present are underserved."

#### MOTIONS

##### MINI-BUDGET

Hon. Mr. Gregory moved that next Thursday at 8 p.m. the House revert to statements by the ministry and that, following a statement by the Treasurer of Ontario, a representative from each of the two opposition parties may make replies, following which the House may adjourn.

Motion agreed to.

#### COMMITTEE SITTINGS

Hon. Mr. Gregory moved that the select committee on plant shutdowns and employee adjustment be authorized to sit this afternoon and each Monday, Tuesday and Wednesday afternoon, each Tuesday evening and each Wednesday morning, and that the committee's subcommittee on agenda and procedure be authorized to sit as it deems necessary.

Motion agreed to.

## INTRODUCTION OF BILL

### NORFOLK BOARD OF EDUCATION AND TEACHERS DISPUTE ACT

Mr. G. I. Miller moved first reading of Bill 180, An Act respecting the Norfolk Board of Education and Teachers Dispute.

Motion agreed to.

Mr. G. I. Miller: Mr. Speaker, the purpose of the Norfolk Board of Education and the Teachers Dispute Resolution Act, 1980, is to resolve the dispute between the Norfolk Board of Education and the secondary school teachers who are employees of the board. The bill orders an end to the strike that commenced on October 2, 1980, and establishes a final-offer selection procedure as a means of settling the matters in dispute between the parties.

## ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Gregory: Mr. Speaker, before the orders of the day, I wish to table the answers to questions 361 to 363 and the interim answers to questions 368 and 369 on the Notice Paper. (See appendix, page 4144.)

## ORDERS OF THE DAY

### PRIVATE MEMBERS' PUBLIC BUSINESS AGE OF RETIREMENT ACT

Mr. Leluk moved second reading of Bill 77, An Act respecting the Age of Mandatory Retirement.

Mr. Leluk: Mr. Speaker, this is the second time in two years—

Interjections.

Mr. Leluk: Why don't the members listen over there; they might learn something.

Mr. Speaker: Order. The honourable member has up to 20 minutes and if he wants to reserve any of it, he can notify the table officers.

Mr. Leluk: I will take the 20 minutes, if the members opposite give me the opportunity to say what I have to say.

The idea of flexible retirement embodied in this bill is one whose time has come: retirement when necessary, but not necessarily retirement. The elderly of this province who want to work and are able deserve the opportunity to work. They should have this freedom of choice.

My bill is an important interim step towards what I hope will eventually be total

abolition of the mandatory retirement age in this province.

Mr. M. N. Davison: Why did the member not move that?

Mr. Leluk: The New Democratic Party would not even support this bill. The members of the NDP are not the only ones in this province who are concerned about the welfare of our people. They are not only the ones concerned about human rights. Yet on this issue, one that involves the dignity and freedoms of us all, the third party refuses to get its collective head out of the sand to see what is happening in our society.

The leader of the NDP has served notice that his party will defeat this bill, as it did in the spring of 1978 with the help of some of our Liberal friends. He said in an interview on CFTO, "My party will not only halt the bill but also press its own party policy of exactly the opposite—a reduction in the mandatory retirement age to 60."

I would like to read into the record a letter I received, dated June 11, 1980, from Senator David Croll, who is the chairman of the special Senate committee on retirement age policies, in which he stated, "In the course of a debate in the House of Commons, all the political parties indicated their support for flexible retirement"—and that includes the NDP.

Mr. Di Santo: You do not understand what that means.

Mr. Leluk: It is my friend who does not understand. He should listen and he might learn something.

Some of history's greatest figures attained their highest achievements late in life. I would like to give the example of a great Canadian, Dr. Charles Best, who died early in April 1978 at the age of 79, just about at the time we were debating this bill for the first time in this House. He did not think about retiring on his sixty-fifth birthday. For the co-discoverer of insulin, there was still too much to do, and his mind and talents were still capable of doing it. Too many other men and women with both the desire and ability to go on working are put on the shelf at 65.

For the sake of the record, I will not restate my position of April 1978 since my views and the facts speak for themselves. If anything, in the last two years my convictions have grown and strengthened. What I would like to do is outline some of the events that have transpired since I first introduced this bill and maybe in the process a few



members of the third party will be brought to see the error of their thinking.

A major example of the growing awareness of the inflexibility of our present retirement policies was the creation in 1977 of the special Senate committee headed by Senator David Croll. I would challenge anyone in this House to stand up and say that Senator Croll, at 80 years of age, was too old for the task.

I would urge the members opposite, if they have not already done so, to read the report *Retirement Without Tears* as soon as possible. They will find this document to be very educational. For the benefit of the members who have not looked at the report, I would like to quote from the committee's final conclusions:

"Those who believe that the costs of maintaining the elderly in the next 25 or 50 years will materialize out of thin air are deluding themselves. The money will come either from savings in this generation or taxes in the following generation, but it is clear that the wellbeing of the retired elderly in the future will not be without cost."

The final observation: "The committee rejects out of hand the ideas that the solution of all our social problems lies in applying large amounts of government money to them."

3:30 p.m.

I sense that in this House and in this country we are on the verge of some sweeping changes, changes which reflect not only the ageing of our society but the way that we perceive our elderly.

I would like to refer to a Gallup poll which was conducted in February of this year which indicates that a growing number of Canadians think compulsory retirement at age 65 is not a good idea. This poll showed even a larger number than the poll conducted in 1977—some 59 per cent of those people polled—thought that forced retirement was a bad idea. In this study, 35 per cent believed that compulsory retirement is a good idea and another six per cent were not sure.

Interestingly enough, among both the young and the old, a majority believe that forced retirement is a bad idea: 65 per cent among those between 18 and 29 years; 59 per cent among those between 30 and 49 years, and 53 per cent among those who are 50 years and over.

One of the major concerns of the Senate committee was the role of women within the pension system as a whole. Senator Florence

Bird, who is 72 years of age, was a member of the committee and expressed a great deal of concern about the financial difficulties faced by women over 65 who are trying to survive on a pension, if they have one at all.

In 1978, the average income for women receiving the Canada pension plan was \$1,113 per annum. At the present time, housewives are excluded from contributing to the CPP. Since women live longer than men, we, as a society, are condemning them to institutionalized poverty. Flexible retirement will at least give women who are in the work force, on either a full- or a part-time basis, some obvious and necessary financial benefits. An additional two, three or five years on the job could make the world of difference to their financial security and independence.

**Mr. Germa:** Give my mother a job. She is 82. Make her work.

**Mr. Leluk:** There is a member sitting on that side of the House, the member for Yorkview (Mr. Young) who, according to the policies of the member for Sudbury, would have been out to pasture 15 years ago or 10 years ago. How did he escape that, I wonder.

We are finally beginning to come full circle in our understanding of the needs of the elderly. Our most fundamental need at any age is our need for human dignity. That need for dignity, for self-respect, for independence, that need to contribute to society does not suddenly end at 65. However, by forcing people to switch gears for no reason other than the fact that they have reached the magic age of 65, we are condemning them to be spectators rather than active participants in the mainstream of our society.

For some people, retirement at 65 is very undesirable and stressful. Studies done in the United States several years ago rank the major events in our lives that cause the greatest stress. At the top of the scale, the death of a spouse ranked at 100 points and being fired ranked eighth at 47 points. I think it is fair to say that for anyone who is 65 and who does not want to retire, being forced to leave the work force based on such an arbitrary decision is, for that individual, akin to being fired.

I would like to read into the record the testimony of learned Canadians in this field, in particular Dr. Laurence Wilson, who is president of the Canadian Medical Association, who stated in June of this year at the Ontario Medical Association's meeting that:

"Some ill health in the elderly seems directly attributable to mandatory retirement itself. Leaving the shop or office seems to unplug them, like lamps from their sockets, from their sources of interest and vitality."

There are statistics that suggest retirement is a significant contributing factor in physiological and psychological disorders. A Statistics Canada study in June of this year, a preliminary research on people collecting Canada pension plan payments, showed a high death rate for men during the second year of retirement, perhaps because they suffered stress or depression after leaving their jobs. This study was conducted on a sample of some 21,000 men and women who retired in 1970 to collect Canada pension plan payments.

I would also like to quote from a statement made by Dr. Gustav Gingras when speaking to the Ontario Public Health Association annual meeting in November of this year. Dr. Gingras is the director of rehabilitation services for the Prince Edward Island Ministry of Health, and chancellor of the University of Prince Edward Island. He is also the retired head of Montreal's rehabilitation centre. He states:

"Every day in this country we are adding, through forced retirement, to the number of handicapped persons. Loneliness, a sense of uselessness and idleness, is one of the greatest handicaps known to man. There will be, in the future, no need to make room for the young. There will be many fewer young people, and furthermore there will never be sufficient funds in the world's treasuries to assure adequate pensions to a constantly increasing number of so-called older people."

I wanted to get those quotes into the record, Mr. Speaker.

Further, I would like to quote from Dr. Colin Smith, who is chief of psychiatry at the Plains Health Centre in Regina. He commented in a brief to a special Senate committee on retirement age policies. He stated: "Ageism is a form of racism. This is the idea that people become members of an inferior race, or nonpersons, after a specified number of years, usually 65."

Think of it for a moment. We do not have a set age for starting to work. There are no laws saying people must start working when they are 21. Yet at the other end of the scale we say people must stop working at age 65. The chief advantage of this type of legislation is that it eliminates the terrible inflexible barrier of age 65. One day you are a work-

ing member of society and the next day you are not. It does not make any sense from an economic point of view, from a human rights point of view or from a legal point of view.

We know for a fact that by the year 2001 more than 13 per cent of Canada's population, or 3.4 million people—of which 1.2 million will be in Ontario—will be over the age of 65. We know for a fact that social services for the elderly are more costly than those for younger people. We know that the cost of food, clothing and shelter in today's society is tough enough on a regular salary but much harder on a fixed income.

The question that arises from all this is who is going to pay for it? It is all very easy to say the taxpayers will, but the problem with that line of thinking is it is too simplistic. Quite obviously there are going to be fewer taxpayers in a position to be paying the money needed to keep our present federal system in the black. If we keep going along on our present course there will be no money left in the Canada pension plan by the year 2010. I would venture to say it will probably be sooner than that.

Where will that leave our senior citizens and taxpayers? There are several possible actions that could be taken. We could let the pension plan go bankrupt and, instead, rely on a combination of provincial, business and private pensions. We could increase the percentage contribution to the plan. A figure of three times our present 3.6 per cent contribution has been suggested in a study submitted to the Economic Council of Canada. Perhaps a system of increased tax credits or grants could be introduced as an alternative rather than an additional form of income supplementation. Of course, I am speculating as to what might happen. There is still time to make these decisions, and I hope they will be fair ones.

What our senior citizens represent is a vast pool of knowledge, experience and wisdom that we can all use. Somehow, though, we have been led to believe the newer approach is better and, in some cases, this may be true. However, in the rush for the great twenty-first century with all its marvellous innovations, we are going to have to come to the realization that the quality of our lives will have to be safeguarded and enhanced. If this does not happen we will have condemned our elderly to a very sad lot indeed.

3:40 p.m.

When I use the word "elderly" in the year 2000, I am referring to a great number of



us sitting in this House today. What will we be doing in the year 2000?

I would venture to say that the concept of retirement planning is no different from any other life planning, whether it be for a career, family or children. These decisions are made on a very flexible time scale. Granted during the first years of our lives we do not have a great deal of choice in the matter, but from the age of 18 on we are all considered adults.

From the age of 65 on we are really not expected to do anything; we have paid our taxes and our social dues. Society says, "Thank you very much," and gives us the golden handshake and possibly a watch—the cruellest symbol of all, for the one thing they are likely to have too much of is time; that really is the reality of mandatory retirement. Fortunately, however, there are changes taking place in various locations throughout this country. I would like to outline briefly some examples of cases either decided by or before the British Columbia, Manitoba, New Brunswick and Ontario courts.

In 1977 in British Columbia, Harvard Miller, a 65-year-old worker for a fishermen's co-operative, was given his walking papers. Mr. Miller, backed by his union, went to court to fight his forced retirement. Ten months later Mr. Miller's suit was upheld because the co-op had violated BC's human rights code by discrimination on the basis of age.

In New Brunswick last February, the human rights commission ordered that a 67-year-old crane operator be reinstated at his old job with back pay because of forced retirement. People over there are fighting a losing battle.

In Manitoba, a university professor was allowed to continue teaching after 65, despite a union contract at the university that specified 65 as the retirement age. I understand that several retirement cases, somewhat like the ones I have just outlined, will be up before the Supreme Court this fall.

In Ontario, I have been following with interest several cases involving firefighters. I do not want to go into any specific details about these cases. However, I do believe that each case should be examined on its own merits. It may be that in some professions, such as firefighters or police work, a mandatory retirement age may well be in the public interest as well as in the individual's best interests.

I do not know if one can take a retirement age and etch it into stone. Each individual is different. After all, many people retire

before they reach 65. Why not have the same latitude on the other side? Since new legal ground in this area is being broken all the time, a lot of the cases therefore are precedent-setting. By including this flexibility for retirement in the Employment Standards Act, the Human Rights Code, the Pension Benefits Act and the Public Service Act, we as legislators are providing the basis for future legal judgements.

We have the opportunity today to make far-reaching and humanitarian decisions—decisions that will benefit our senior citizens, ourselves and our children. What we are doing is responding to a complex social need and a right—the need to be recognized, an integral part of society, and the right to the self-determination of one's own life.

These are the larger concerns that have their roots in the proposals before this House today. I have discussed my concerns with the Minister of Labour on several occasions, asking that he amend the Human Rights Code to do away with the last frontier of discrimination in this province—ageism. I am sure the minister will provide the same leadership this government has shown over the years in providing a quality of life for our citizens second to none.

I would urge all members of this House join with me this afternoon in supporting this bill. It is one that will give our senior citizens every opportunity to further enrich the fabric of Ontario society.

**Mr. Peterson:** Mr. Speaker, I am very happy to rise to speak on this matter. I speak as an individual but probably also on behalf of a number of members of my party. I compliment the member who introduced the bill. I think he covered a lot of ground today and read a very well-written speech. I compliment whoever wrote that speech. Interestingly, when I was thinking about this bill today, I reread the debates of two years ago on an identical bill discussing the age of mandatory retirement. I also looked at the position of my friends to the left, the NDP. I must say I am quite surprised at the vigour, vindictiveness and meanness with which they approach this particular concept, because there are some people in society who felt the NDP, at least traditionally, has had some degree of humanity about it and cared about the welfare of the individual.

This bill is to a large measure about the mental and physical welfare of a number of people in society, an increasing proportion of those people in society. I was surprised at

the viciousness with which they attacked not only the member for York West in this debate today, but which they showed in this debate of some time ago. As they did then, I expect they will stand up and block or guillotine the bill today.

It is interesting that these professed democrats, these professed believers in the free functioning of this chamber, stood up—and I remember very well two years ago—and prevented a vote from being taken on this bill. They are flaming hypocrites, because I have seen them stand up many times. I say with some pride that our party has never done that as a party. The Tories have done it and the NDP do it. When they stand up and rail against the government for guillotining a bill, Mr. Speaker, they should have no credibility with you or anyone else in this province. I just want to make that position very clear.

I do not think this bill should be as fearsome as they perceive it to be. All we are asking for in this bill is some flexibility. There are two strong movements afoot at this particular time in this area. One area supported by a number of authorities on geriatrics, the Ontario Advisory Council on Senior Citizens, and an almost endless group of people involved in working with the elderly, is the view that mandatory retirement at 65 is discriminatory; it is bad for the mental and physical health of people, like all of us, who need some sense of place, some sense of work in this world. In a large measure that is identified, at least in a lot of people's minds, with some kind of work situation. Why should we deny those people who want that kind of identification and peace of mind, and the happiness that goes with it, the joys of working longer?

On the other hand, and I recognize it, there are other people who want to retire earlier. There are certain kinds of jobs that are more physically difficult. There are certain kinds of jobs that are tedious and people want to get out of them earlier. I think a humane and flexible society would attempt to accommodate both of those groups. I do not think by supporting this bill we preclude the kinds of things that some of the more enlightened members of the NDP at least would like.

I want to make my argument on two levels. There is a humane and human reason for proceeding with this. I could cite countless cases of people over 65 who have made marvellous contributions. Look for example to my dear friend the member for Grey-

Bruce (Mr. Sargent). There are few members of the Legislature who approach the service of the constituents and the service of the people of Ontario with the same vigour and vitality and energy as he does, and he will go on for a long time in the future.

The member for Yorkview is one of the most intelligent, humane, decent people in the parliamentary business today in Ontario. Would we deny him that? There are more. The member for York West quoted Dr. Best. He mentioned the name, and we can talk about, John Diefenbaker. There are many names of people who have made marvellous contributions at the age of 65.

On a daily basis I want to talk about how I got involved in this. I have had many people come to me as a member of Parliament in a constituency capacity saying they wished they did not have to retire, or at least could retire on some sort of flexible system. It does not necessarily mean one has to keep the same job after age 65. But a society that in eight or 10 years is going to have a shortage of labour and at the same time have increased medical care so that the average age expectancy is increasing and people are vigorous longer—and there are lots of examples of that—should be taking advantage of these people.

3:50 p.m.

I understand there are problems. One can talk about the ossification of institutions. They get all jammed up with people on the upper end, which prevent the vitality of young people coming in, but surely we can start to look at more humane concepts of order in society, such as work sharing. Why can't the people over 65, for example, be on half pension and half work? They do not have to stay on in the same executive capacity or any other capacity, but we should be ordering our society in a way that takes advantage of all the talents and all the skills of all the people who want to contribute. This is one way of doing that.

I know so many people—for example, my own parents—who are over 65 and vital and active and contributing on a number of levels. I can tell you that they take this kind of legislation as a personal insult. What's to say that a person 65 plus one day is of less worth than a person who is 65 less one day? It does not make sense. A humane society would arrange for an orderly transition and would take advantage of those skills. My friend from York West laid out some of the demographic considerations. I can tell the House that this bill is going to come because



we are going to be begging those people to work in five or six or seven or eight years when the labour situation changes in this province.

Granted, we have an unemployment problem in this country, but let us not let that overrule some of the long-term trends that we as legislators are charged with understanding and legislating for, and I just give that admonition to my friends to the left.

The financial considerations are also very profound. I have talked at great length in this chamber and other places—anywhere else that people would listen to me—about the virtual bankruptcy of a number of major pension plans. The Canada pension plan, for example, will be out of funds in the year 2000. There is no question about that. My friends to the left talk so facilely, with their voodoo economics, saying “Well, we will just pay everybody more and the reason for all of this stress is that we don’t give them enough money.” They feel if we just throw a lot of money at the problem, we would solve it. I can tell members some of the human problems and stress problems of old people have nothing to do with money. Some of them do, granted, and I am the first one to admit that, but some of them have a lot to do with the loss of identification and loss of something worthwhile to contribute in the world. If members go into some of the old age homes that I have been into and ask the people what their principal problem is, they say it is that they do not feel worthwhile or useful. That is the problem in many cases, it is not just the financial problems.

I want to talk about this financial problem for just a moment. We have a tremendous load of indexed pension plans that are totally underfunded that are going to require massive tax increases in the future as fewer people will be working.

**Mr. Germa:** The member is not qualified to talk about financial problems. He was born with a silver spoon in his mouth. He likes the taste of silver.

**Mr. Peterson:** We are getting a lot of grumbling out of my friend from Sudbury and I know his typical response. He read it in the last debate.

**Mr. M. N. Davison:** What do you know about poverty? That’s the problem.

**Mr. Roy:** They get annoyed when you tell the truth.

**Mr. Peterson:** We get such hypocrisy from these so-called humanists that it is not even worth addressing.

**Mr. M. N. Davison:** Tell us what you know about the poor.

**Mr. Peterson:** I will just dismiss it as a general din in the background.

The financial considerations of this are profound and the longer people are working and contributing and being paid to work, the less pressure is put on some of those pension funds. We have the choice of massive tax increases in the future or running society into debt that at some point is going to have to be met without a collapse of the system. We now have about seven working people supporting one retiree. In 50 years that will be three people working to support one retiree.

The financial changes in this society are going to be profound and that’s why we have to address some of these things now. I would appeal to you, Mr. Speaker, and I appeal to my friends to the left for some degree of flexibility. Let us look at each job. Let us look at each individual on an individual basis and those who want to go on and continue to contribute should have that capacity and that ability and those who are in jobs that—

**The Deputy Speaker:** The honourable member’s time has now expired.

**Mr. Peterson:** —are more tedious should have the right to retire earlier on pensions that are arranged to look after their future.

**The Deputy Speaker:** The member for Hamilton Centre.

**Mr. M. N. Davison:** Thank you, Mr. Speaker.

**Mr. Peterson:** Here’s a guy who worked his way up the hard way.

**Mr. M. N. Davison:** I certainly did. I oppose Bill 77 as we opposed Bill 47 back in April of—

**Mr. Leluk:** I expected that the member would.

**Mr. M. N. Davison:** What was that?

**Mr. Leluk:** I expected the member would.

**Mr. M. N. Davison:** I do not need lessons about problems of the aged. Let me tell the member that it was my father, the former member from this seat, who first introduced in this House legislation to end hiring on the basis of age and to end age discrimination in this province. It took him almost a lifetime in politics to drag his government along to that point of view. So I do not need to hear any Neanderthal nineteenth century analysis from the member for York West.

**The Deputy Speaker:** Order.

**Mr. M. N. Davison:** This second coming of the Leluk act to shaft the elderly has absolutely nothing to do with human rights and human dignity for the elderly or for anybody else in this province.

**Mr. Leluk:** The member should tell his constituents that in the next election.

**Mr. M. N. Davison:** I certainly will. This bill, Mr. Speaker, is simply the thin edge of the wedge, a wedge being driven into the very modest and insufficient kinds of statutory protections we have won for the elderly in Ontario. This legislation is representative of a type of nineteenth century petty and mean conservatism that has no place in the Ontario of the 1980s. This is the kind of legislation we will be seeing over the next four years in Ronald Reagan's America with a k, and I would not want to be associated with it.

This is the first of a number of steps by people who adhere to that kind of a philosophy that we are likely to see over the coming tough years in Canada. This is the first step in the kind of attack we are going to see to rob Canadians of things like medicare, old age security, the Canada pension plan and the Gains program in Ontario.

The member takes great pride in associating himself with Prince Otto von Bismarck in these matters, and I suggest the nineteenth century is where this kind of legislation belongs. He and his ideological colleagues in this area are hiding behind a smokescreen when they talk about human dignity and human rights for the elderly. If the member for York West believed in human dignity, and if he believed people in this province should be allowed to work regardless of their age, why did he not bring forward legislation to end any kind of mandatory retirement? I will tell the House why he did not do it.

**Mr. Leluk:** You guys would not support this; this is an interim step.

**Mr. M. N. Davison:** It is not an interim step; it is a smokescreen.

Enough of quarter measures. If the member wanted to provide the elderly with an opportunity to have meaningful occupations beyond the age of 65, he would have brought in that kind of a bill. He did not for very good reasons that are fairly clear to all of us.

We in this party understand what age discrimination is about because we are the ones who have opposed it in this province over

the last number of years. This fiddling with the mandatory retirement age is nothing but that, a fiddling. It is not a first step towards ending mandatory retirement, but a first step in a long series of policies to shaft the elderly in this province.

We believe in reducing pensionable ages. The member obviously does not have the first idea of what the difference is between a mandatory retirement age and a pensionable age. We do support the lowering of pensionable ages in Ontario, something that will help the elderly and something that the member for York West opposes.

The other thing that is important is that because his government has so shamefully failed to provide for jobs in Ontario, we have to realize that as long as we do not have jobs for our people we are going to have to recognize some forms of work-sharing in this province. That will not be corrected until we get a more far-seeing decent government in Ontario.

4 p.m.

The major problem for the elderly in Ontario does not have to do with their jobs or their work. It has to do with their lack of money and their lack of adequate financial support services.

Where does the member for York West stand on those matters of importance to the elderly? Where does he stand on the real issues for the elderly? Let me tell the House where he stands on those. Has he voiced his support for higher old age pensions? No, he has not. Has he voiced his support for a decent Gains level in Ontario? No, he has not. Nor has he voiced his support for increased levels of Canada pension plan funds for the elderly in Ontario and in Canada. That is where the real issues are and that so clearly shows why this is a smokescreen.

Does the member for York West argue in this House or anywhere else that we should be providing sufficient income to the elderly so they can have a decent and dignified life in their community? No. He says he cannot and will not give decent income levels to our elderly and points to that kind of statement with pride. He fundamentally believes that the elderly of Ontario are not entitled to decent levels of income.

What about other support services for the elderly he could have moved on in his private member's bill if he was concerned about the elderly in this province instead of this shameful attempt to hurt them?

I support, as do members of this party, programs that would provide for the co-ordi-



nation of ministries such as the Ministry of Health and the Ministry of Community and Social Services to provide some sort of co-ordinated effort in delivering services of health, social services, labour services and housing services to the elderly. Did the member for York West move on that? Did he advise his colleagues on that? No, he came forward with this attack on senior citizens.

I believe we have a responsibility to provide proper housing for the elderly of Ontario. Did the member for York West move on that? No. He has no intention or desire to provide adequate housing for the elderly and the senior citizens of Ontario.

I believe it is time we ended the private ownership of nursing homes and other such health institutions that care for the elderly so that greed would not be involved in the ripping off of older people in this province. Did the member for York West move on that? No. Again, another failed opportunity which shows what he thinks about the rights and needs of the elderly in Ontario.

**Mr. Leluk:** Has the member read the bill?

**Mr. M. N. Davison:** I most certainly have read this reprehensible bill and it is a shameful right-wing attack on old people in this province. The central problem here is that we are not providing sufficient livable levels of income for the elderly in this province. Instead of moving on that and a whole number of other problems faced by the elderly, the member for York West takes his hour in private members' legislation to reintroduce this attack on older people in our province.

It is shameful and I will oppose this attack as I opposed his attack in April 1978.

**Mr. Kennedy:** Mr. Speaker, I am pleased to join again in this debate and to commend my colleague for bringing his bill forward and his well-reasoned, logical arguments for doing so. I am not going to comment on the previous speaker. It is obvious that the impenetrable craniums over there cannot be reached, so I will get on with the objectivity of the bill.

I remind members it was two years ago when the bill was vetoed by the opposition and I hope, despite what we have just heard, they will reconsider.

This is not an employers' bill that is going to downtread the poor working folk. It is an employees' bill that will enable them to retain their place in the sun. As the member for London Centre said, I too have people who come to me saying that after all the

years they have enjoyed working with a firm—

**Mr. Charlton:** I will arrange for you to meet with someone who was forced to retire.

**Mr. Leluk:** Nobody is forcing anybody to work. They can leave any time they want. What are you talking about?

**Mr. Kennedy:** Keep quiet over there. I too have those members who go through this trauma of retirement. They simply wish to change careers and to keep busy. Retirement is a tremendous shock to them. This bill will enable them at their own volition to continue to work.

It is a voluntary bill which these people oppose somehow or other twist around and turn into a slave labour bill. It is so far removed from this that I will respond by giving their remarks the attention they deserve, which is exactly zero.

I know that in the last vote, a couple of members from the Liberal Party joined with them in the veto. I hope they have reconsidered.

**Mr. Roy:** It is not our style to veto anything. We believe in votes and the democratic process.

**Mr. Kennedy:** That is the stuff.

I want to remark on two articles, one of which is from the Legion publication.

Interjections.

**Mr. Kennedy:** Mr. Speaker, could you have a go at keeping order?

**The Acting Speaker (Mr. MacBeth):** That is exactly what I would like. Could we have a little more order please?

**Mr. Kennedy:** I do feel I have a contribution to make and I would like the members to listen. In the Legion issue of February 1979, none other than Senator David Croll, in an article written by Helen Frayne, asks for a flexible retirement policy for Canadians so Canadians will feel free and be free to continue working after 65. It is a very objective article by a person who has been around for a while. In fact, as members will recall, he was in the Hepburn cabinet. He is from Windsor. This is why I was somewhat surprised that two members from the same area in the Liberal Party were in opposition to the bill at that time.

The other article is a very definitive one written in the service club journal, *The Lion*, in the January 1979 issue. It too gives some very objective reasons as to why these people shouldn't be at work one day and the next day turfed out to pasture. Senator Croll mentioned that as of June 1, 1977, there

were 2,069,100 Canadians aged 65 or over. Surely that growing work force could be accommodated in some flexible program that would enable them to continue to work or change careers if they liked.

Despite what has been heard opposite, because we on the government side are vitally concerned with every member of our labour force, we are supporting this legislation. Members opposite see fit to overlook the problems and issues of mandatory retirement. Every day Ontario loses a valuable part of its labour force to the ranks of the retired. Most members can't wait to get out, which is what I like about the flexibility aspect. If they want to retire at an earlier date, let us accommodate that to the degree we can so that in the overall employment picture there will be no impact at all on new workers coming into the work force.

If the members would refresh their memories with the previous debate, they would appreciate that there are very few, relatively speaking, who would wish to continue on. This really isn't an argument for not introducing this legislation. A great many people over 65 do not consider themselves old. Few are markedly different to a year or two before. It has been said that through the loss of a job at 65 a worker in good health may face the rest of life unemployed and somewhat despondent. This places a great deal of stress on the individuals and on institutions which government and industry have established to support our senior community.

4:10 p.m.

According to the reactions of the third party, this kind of discrimination should be allowed. According to their rationale, old age is sufficient reason for dismissal. I cannot understand why everyone in this House cannot get together and recognize the bill for what it is.

As my colleague mentioned too, their party in Ottawa, along with the other two parties, supported such legislation. There is no coercion, with respect to workers, to remain in the labour force any longer than he or she may desire, but it would allow older workers who wish to continue working to do just that.

There are several reasons why mandatory retirement at age 65 is being challenged by this legislation. Among them are longer life expectancy, which we have now, and improved health care. The concept of discrimination because of age is a basic human right. The proposed legislation would allow

these people to work until age 70 if they so desire. This is an additional five years in which our senior workers can contribute to business, industry and to government; five years to supplement income; five years to remain productive and choose the age at which to retire. There are a good many seniors who wish to continue at a job in which they are competent.

Under the current practice of retirement, a great deal of ability, commitment and productivity is lost due to mandatory retirement. This is a segment of our labour market which remains and lies untapped. A source of valuable skills is lying unused. It is an enormous waste of human talent.

Over the last 20 years an increasing number of older workers have willingly chosen to retire; most of them have. As I said, most cannot wait to get out, and we wish them well. The establishment of old age security, the Canada pension plan and Gains, and the growth of private pension plans have improved our senior citizens' economic position. Contrary to the diatribe from the party opposite, my colleague from York West supports that, as does this government. In fact, this government has introduced those measures. So the members opposite should not say they have a corner on the market on compassion for the aged because they do not, they are followers, if they can unscramble their brains and see what the issues are.

**Mr. Leluk:** They are sitting on them. They cannot unscramble them.

**Mr. Kennedy:** The changes to the age of mandatory retirement will not result in the majority of our senior workers seeking to maintain their jobs. Retirement for most is an eagerly awaited day. The pattern of retirement in this country, and in the US, suggests that workers will continue to retire when they so desire.

The purpose of this legislation is to introduce a greater flexibility in choosing when one will retire. Retirement at age 65 is based on the notion that older workers do not perform as well as younger workers. Recent US studies have suggested older workers perform skills equal to and, at times, noticeably better than younger workers in attendance, punctuality, job safety and work performance. The American Medical Association suggests mandatory retirement has adverse physical and psychological effects.

**The Acting Speaker:** The honourable member's time has expired.

**Mr. Kennedy:** Is there not one minute left? Would you check that time, Mr. Speaker?



**Mr. M. N. Davison:** Then why would you not abolish mandatory retirement?

**Mr. Leluk:** It is coming, just like it has in the US.

**Mr. Kennedy:** The NDP members have opposed this. I hope they will reconsider. I do not support their assumptions. Once again, the NDP have jumped, not on a bandwagon, but on a wagon and it is rolling not forward but backward into the nineteenth century and into the earlier part of this century. I have no hesitation in strongly supporting this legislation. I again commend my colleague for it.

**Mr. Van Horne:** Mr. Speaker, it is very obvious that the differing views we are hearing today are more or less reflective of what is going on out there in the community. The New Democratic Party members certainly feel they cannot support this because, obviously, they think they speak for all of labour here in Ontario.

**Mr. Di Santo:** This is a private member's bill.

**Mr. Van Horne:** If one does not buy that argument and accepts what was just said as an aside or an interjection, that this is a private members' hour, then surely the members of this House will use their good judgement and vote on this independently rather than following a party line.

If we go back to some of the debate in 1978 within our own party the member for London Centre spoke in favour of the legislation that was much the same as that in front of us today. On the other hand, the member for Essex North (Mr. Ruston) was not able to support it. That is how we are approaching this—as individual members expressing our views.

To do that properly I would submit there are very few experts on retirement age or pension age or anything related to it. We should all do, if we have not, a little bit of research into the matter. I was able to find in a research paper that it is necessary to define retirement age and pension age. The definition I like to follow is: When people reach retirement age, they cease to work for pay. That is what retirement age means to most people, the age at which they cease full-time work for pay. But if they have any say on the matter at all, they will not cease working for pay before they have become eligible for a pension or some part that will replace their paycheque at least in part.

Such eligibility for either a publicly-provided pension or a privately-financed retirement pension is not acquired until they have

reached "pensionable age." Retirement age then is the age at which one ceases to work for pay. Pensionable age, on the other hand, is the age at which one becomes eligible for retirement pension.

It is proper that we are debating this issue in this Legislature and it would be a shame to see it blocked by any one group. In so far as jurisdiction in this area is concerned, and the federal role versus the provincial role, constitutional allocation of powers limits the federal government's potential for action in the field of retirement-age policies. All matters relating to employment conditions, including collective bargaining and private pension plans, fall within the responsibility of the provinces—except for the Canada pension plan and the old age security program. Again this is a very good reason for us debating it here in the Ontario Legislature.

I pointed out at the outset that there are varying opinions on retirement age. Some experts feel it should be gradually changed from the accepted tradition of 65 being that age. One expert in Toronto said in the past year that a gradual switch to older retirement would be for the best. He went on to say that a change in the normal retirement date is going to be forced upon us at some time in the future. It is better that we provide now for a gradual transition, which would be as little as three months each year, with the additional benefits of significant contributions to the control of government expenditure and the proportion of gross national product absorbed thereby.

He went on to say there is great merit in a gradual moving of the minimum mandatory retirement age from 65 to age 70, extending perhaps over a 20-year period, with a similar increase in the age at which old age security and Canada pension payments would begin.

There are members of the labour force who feel very strongly the day may come when their pension would not be adequate for them to survive if they were to take it and simply quit at age 65. To quote a Boeing plant employee, "If inflation keeps eroding my insurance and pension, then I will have to work. What I really want is a choice." As I perceive this bill that is in front of us, Bill 77, the member for York West would be giving such people a choice if we were to accept this legislation.

4:20 p.m.

Further, if statistics are accurate, there are growing indications that many Canadians may have no choice but to work past the

age of 65 before this century is out. As the population over 65 rises, payouts from Canada's pension system will rise and become progressively more difficult to finance by a young but shrinking population. What is more, the Canada pension plan, an inflation index system that is supposed to pay contributors money they put into the fund, must now depend on current contributions to pay current benefits. One third of Canadians 65 years of age or older are now entitled to draw CPP benefits.

Faced with this impending situation, Canadian employers and employees may have little choice but to allow workers to stay on past 65. There are already indications that many in the work force will be willing to stay at their jobs rather than at home. A recent survey by the Department of National Health and Welfare of many broad areas of labour indicates that 50 per cent of Canadians surveyed would like to work at least part-time after age 65.

Finally, ending the dilemma of the involuntarily retired worker will not happen overnight and it will not happen without a struggle. The important goal which we as legislators, and the business and labour world too, will have to achieve is greater democracy in the work force to end discrimination against the elderly. Though the younger worker may have to pay a price in terms of slightly reduced work and promotion opportunities and may even have to pay higher taxes to finance public pensions, there is no doubt that Canada's present retirement system, and Ontario's too, will have to adapt to meet the needs not only of the elderly but of the younger workers following in their footsteps.

In conclusion, it is a pleasure to support this bill.

**Mr. Di Santo:** Mr. Speaker, I rise in opposition to this bill. I think that ideally in a world where everybody is free to do what he or she wants to do there should be no retirement age at all. I think that the rationale given by the member for York West is just preposterous, because I want someone to convince me that the age of 65 is discriminatory but the age of 70 is not discriminatory.

That is a specious argument that we cannot accept. I am really shocked by the fact that the member for York West, having had two years to think about the bill, did not choose to address the real issues that the senior citizens of this province are faced with.

The real problem for the workers of Ontario is not the mandatory retirement age. The real problem is the pensionable age, because we have workers who are employed in the construction industry, workers who are employed in very heavy industries who cannot even work until the age of 65. Our party is in favour of lowering the pensionable age to 60, giving an option to the workers if they want to work after the age of 60. But by imposing a mandatory retirement age at 70, the problem is not solved for the old people.

I was really amazed by the rationale given by the member for York West. On one hand he complained because the poor pensioners have pensions on which they cannot live, and on the other hand he said if we forced people to retire at 65, in the year 2010 we would not have money to pay for their pensions. That is sheer hypocrisy, because he knows well that the problem he raised with this bill is a problem for which the pensioners have concern because they cannot live on the pensions that the federal government and the provincial Conservative government are giving them.

This government has always opposed increasing the guaranteed annual income system to a level that would make the lives of pensioners decent and dignified. It has embraced and supported the policies of restraint and that's why the pensioners are suffering, not because they retired at the age of 65.

Work is not the only activity in the life of a man or a woman. There are many people who can decide to spend their time after the age of 65 in a most meaningful way if this government and the federal government were able to provide them with dignified and adequate pensions. That's the problem. What they on that side of the House and the speakers for the insurance companies in London want to do is to protect the interests of the big insurance companies, such as Royal Trustco. They have \$26 billion of workers' pensions invested. That's what they are doing by proposing to remove the mandatory retirement age, to enlarge the portfolio of the insurance companies but they are not doing anything for the workers.

In these last two years they did not even think of lowering the pensionable age to help those older workers who cannot work because of the type of jobs they perform. This would also help the economy of the province, because we have in this province, between the ages of 16 and 24 years, the largest group of unemployed. I think there



are many workers in this province who would like to retire at age 60.

**Mr. Leluk:** They can if they wish.

**Mr. Di Santo:** They cannot right now. The member has not even read his own bill because the age of retirement is 65 now. I am shocked that this proposal comes from a person like him whose father was an immigrant and was forced to work until the age of 70.

**Mr. Leluk:** He died at 65. How could he be forced to work at 70? The member does not even know what he is talking about.

**Mr. Di Santo:** That, Mr. Speaker, adds to my argument because if his father died at 65 then he should at least know that life expectancy in Ontario is 69 for men and 75 for women. Since that is the case, he is excluding with his bill the majority of the people of Ontario from enjoying a year or so of retirement on pensions to which they have contributed.

Let's not forget that if a person starts working at the age of 20, that at the age of 65, he or she has contributed for 45 years to the pension plan. The average life expectancy in Ontario is four years past retirement. He does not want to address this issue in this way because he has the mentality of the eighteenth century. He mentioned Bismarck, but Bismarck was more advanced than the member because he introduced the pension in Germany at that time.

With the excuse of raising the mandatory retirement age and with the excuse of discrimination and human rights, what the member is really protecting is a capitalistic system which has always exploited the workers and is intended to exploit the workers. For these reasons, we are opposed to this bill. As I said at the inception, if they were not hypocrites, they should have introduced a bill abolishing the mandatory retirement age, but they do not want to do that. They should be ashamed because this is a piece of hypocrisy and that's why we are voting against it.

4:30 p.m.

**Mr. Williams:** Mr. Speaker, could you indicate how much time I have left?

**The Acting Speaker:** Seven minutes.

**Mr. Williams:** I am pleased to rise in support of the legislation being proposed today by my colleague the member for York West. I had a similar opportunity in 1978 when the member brought this legislation forward in essentially the same form as it is today. One might say that nothing has changed as far

as the drafting of the legislation is concerned, but a great deal has happened in the interim period and all to the good.

The things that have occurred in that short period of time are impressive in respect of the enlightened thinking that has occurred in various jurisdictions where the democratic process is carried out. I would point out that one of the significant areas in which a full recognition of the dignity of the right to work should be maintained, regardless of age, has occurred in the United States. The federal authorities in that jurisdiction enacted legislation in late 1977 or early 1978 which provided that there would be protection from mandatory retirement to the age of 70, not only in the private sector, but within certain areas of the public sector as well.

It is interesting to note that the very strength of this province and this nation is founded on its people. It is people who have had individual worth, aspirations and initiative who have brought this country to the place that it is in world society today. Part of that initiative and individual worth is found in the dignity of work. It seems in some sectors that the right to work and the dignity found in work is frowned upon. I can assure members, however, that it is fundamentally important that this right be preserved and that no citizen in our society be discriminated against with regard to that person being given that fundamental right. For this reason, there should be no law which would in any way take away or diminish one of our most fundamental basic rights.

There has been a great deal of talk in recent times in this Legislature and elsewhere about our fundamental basic human rights. We have enshrined in the Ontario Human Rights Code the fact that there shall be no discrimination in the work place as it relates to people because of race, creed, colour, nationality, ancestry or place of origin.

I would suggest that one of the other basic conditions of man is related to age. I can foresee the day when, if there are to be amendments to our Ontario Human Rights Code, that it will incorporate some of these additional basic conditions of man. I hasten to add, not some of the behavioural activities of many but rather his basic conditions. No man can prevent ageing; no man can avoid the possibility of being born with physical or mental handicaps. These are basic conditions to which our human rights legislation will address itself in due course. Certainly, in the area of ageing, there should be no discrimina-

tion in our laws that would prohibit or minimize the right of individuals, if they so wish, to pursue a work activity throughout their careers.

The fact of the matter is that this bill, as the sponsor has stated, is one whose time has come. The fact that this bill may be vetoed by opposition members today because of their convoluted thinking, misunderstanding and dark-ages thinking with regard to this legislation will not discourage this government from continuing to pursue this matter. If we lose a battle today we have not lost the war.

Enlightened thinking throughout this country will show that the thinking expressed by some of the opposition members today will soon be discarded. The laws throughout this land, provincially and federally, will in the very near future incorporate this type of enlightened thinking that will respect and recognize the rights of people of all ages to enjoy full employment and fulfil their initiatives throughout their lives as they see fit.

In no way does it prevent a person from retiring early from gainful employment if he so wishes. By the same token, there should be no law that would prevent us, as individuals, from working as we see fit according to our own free choice and desire.

We are entering into a leisure age in which fewer people are working to maintain our standard of living and there will be more frequent situations where people will not have the need to work. In a way, this is a dichotomy to what is being asked for here, but I think one can rationalize this situation. Because of advances in medicine and industrial technology, people are living longer and fewer people are needed to do the jobs, but this should not in any way give encouragement to those who would try to restrict the period during which a person can work gainfully.

While recognizing that, we must not carry out any acts that would detract from the fundamental principles contained in this bill. For these reasons, I support the legislation before us this afternoon without hesitation.

#### NOTICE OF DISSATISFACTION

**Mr. Speaker:** Notice has been given by the honourable member for Welland-Thorold (Mr. Swart) under standing order 28 of his dissatisfaction with a question directed to the Minister of the Environment (Mr. Parrott) concerning chromium sludge. This matter will be debated at 10:40 tonight.

#### ONTARIO HERITAGE AMENDMENT ACT

Mrs. Campbell moved second reading of Bill 161, An Act to amend the Ontario Heritage Act, 1974.

**Mrs. Campbell:** Mr. Speaker, in introducing this bill I am very much aware that it does fall far short of constituting what in my opinion is required, and that is a total revision of the Ontario Heritage Foundation legislation.

This bill provides three things. First, it gives to the Minister of Culture and Recreation the authority to designate—and it is only confined to designating buildings at this time—across the province.

Second, it has to be permissive—I would like to have made it mandatory—that he may supply funds or financial assistance for this purpose as a minister of the crown.

Third, it does seek to address the very real problem of the act as it applies to demolition of designated buildings.

4:40 p.m.

On September 24, 1977, there was a meeting convened at Victoria College by the Ontario Historical Association to which persons interested in the subject were invited from all across the province. At that meeting, Dr. Margaret Angus of Kingston, Gerald Killan and Frederick Armstrong of London were requested to draft resolutions as a resolution committee to bring forward some supposed amendments to the legislation. I would like to point out that at that time it was resolved that the Ontario Heritage Act should be amended to provide for designation of outstanding heritage properties by the province through the Ontario Heritage Foundation.

I gave a great deal of consideration to that resolution, and the reason I did not move in that direction is that all too often we may set up foundations, committees or whatever, but we need the impulse of the funding to make them operate. Therefore, in my bill I have proposed that the minister designate the property, and I am sure no minister would designate without considering very carefully recommendations of the foundation. I would otherwise have supported that resolution.

One of the other points made was that the Ontario Heritage Act should be amended to incorporate the principle of permanent demolition control. I recognize that under the uncertainties of our present legislation that kind of permanent demolition control might



be deemed by some to create inequities for those who own properties. May I say that if one is considering true heritage buildings—and I am only addressing the question of buildings here—it seems to me that our children and our children's children should be considered as parties in the deliberations about these buildings.

All too often the buildings are lost because of the lack of appropriate funding. I would like to give one or two examples of the problem. During the sixties, I was concerned in trying to protect what was colloquially known as the Tree House in Toronto. It was named the Tree House after the names of the families who had owned the property. I consulted with Professor Eric Arthur as to its architectural qualifications. He stated there were two such buildings in Toronto. He thought the second one had greater architectural integrity for the period.

The reason I chose the Tree House was that it had been acquired, ironically, by the city parking authority, and therefore it was to that extent in the public domain. Secondly, it was one of those buildings, of which there are several, where Sir John A. Macdonald resided for a period of time. There was a room in that house which was designated as the railway room. You yourself would have a particular interest, Mr. Speaker. I was deeply appreciative of the attempt of Mr. Eddy Goodman to protect at least the furniture there. I believe it was acquired either by him personally or by the province. But I do not know where the furniture from that room has gone.

It seems to me the difficulty at that time is the difficulty which remains today, and that is the use to which a protected building of this kind will be put. I think the city had taken the position for some time that it would like to preserve its heritage buildings in an active fashion so those buildings would be continued in usefulness other than to be designated for museum purposes.

I can recall wracking what brains I had to try to come forward with proposals. One of the proposals was that since the city wanted to encourage more hotel accommodation for itself as a convention city, perhaps a cordon bleu operation there with the building itself, and its very spacious lawns, would be a service to the industry, to the citizens and to all of the people interested and concerned in historic matters. I even envisaged strawberry festivals on those lawns. That building today, I say sadly, is a parking lot.

Another building which is a heritage building is St. Andrews on the Lake. I attended the one hundredth anniversary celebration of this old Anglican church on Toronto Island sometime after I was first elected here in 1973. If the city wanted to protect that building, it would have to acquire it from Metro. Metro has an obligation to keep it in repair but, for some reason, has not met that obligation. It may well be that the building will die as a result of neglect by the Metropolitan Toronto council.

There is a third building in my riding known as Rose Cottage. It is a unique cottage in its architectural design. There has been a very real attempt to preserve it because it was the home of Sir Wyly Grier. While I understand that Sir Wyly Grier is not as popular today as he was in the past, he was knighted for his service in the arts field.

I mention these because in the final crunch under our present legislation it is up to the municipalities to find the funds, and in these days it is very difficult to sort out their priorities in the allocation of funds. As our municipalities are ageing, more and more of these buildings become eligible as heritage buildings. I am not for a moment suggesting just because a building is old that therefore it qualifies as a heritage building.

I want to make that point clear. There are some old buildings I think we could do without. But when any government, or any people serving government—such as the heritage foundation and others—are desirous of preserving the heritage of this province for its future, it seems to me a pity that the act really does not give sufficient financial relief to those trying to preserve these buildings.

4:50 p.m.

It is my hope that this bill will pass as a first step towards protecting our heritage in Ontario in the same way as the people of Quebec have moved proudly and successfully to protect their history and those buildings which are so much alive and a part of that community in our sister province.

**Mr. Lawlor:** Mr. Speaker, if this bill goes any further, then it certainly should be taken into committee. I have listened to the introducer of the bill and I am still not quite certain why it is here or what it purports to do. In other words, is it necessary? While I am prepared to give this particular member the benefit of these doubts, I would still

like to have them resolved somewhere along the road.

The reason I ask the question is that there are elaborate provisions at present under part IV of the Ontario Heritage Act reposing in the municipalities: the supervision, jurisdiction and control over matters of demolition, removal and alteration of old buildings of historical or architectural interest. So be it. It has been there for at least a decade.

It puzzles me on the basis of pure ideology among the parties as to the steps being taken within this legislation by the member. The Liberal policy is well known as being a grass-roots one, having Jeffersonian background and being very much interested in local community and the self-determination at the most microscopic level possible of human affairs, perpetuation of early 19th century ruralism into contemporary civilization, totem worshippers or mound builders or whatever it is we are concerned with here.

Nevertheless, in face of that basic thrust, the member proposes to move to the ministry and, as second tiers, what is already within the jurisdiction of the local municipalities. The superimposition puzzles me as to what flows from a possible conflict in this particular regard.

Suppose a local municipality, with or without a review board, comes to a certain determination, say, of consenting to the demolition of a building and the ministry then is invoked, comes into play and reaches an opposite conclusion with respect to the matter. Of course, by the very fact of government I would assume the provincial minister would override and have superior jurisdiction to the local representatives. Surely that is not what the member seeks, looks forward to or in any way wants but rather the contrary. It is a question of local power being called into question to some degree in this regard.

Is it because in some instances the localities—the municipalities or the regional governments in this case—are not exercising their jurisdiction in an intelligent way, not even setting up review boards but being sufficiently disinterested in the whole process as not to invoke the plenitude of the legislation as it stands and are abnegating areas of responsibility which have to be sustained and filled in by the provincial government? If that is the case, I would like to know. I confess ignorance in this regard. But it seems to me it probably must be an element in the engendering of the legislation; otherwise it would not be here.

Just a word on the Ontario Heritage Foundation generally. There is a Spadina house that recently came into the possession of the ministry up near Casa Loma. In the past few years a very considerable number of different properties—30 or 35—have fallen into provincial hands. The government works through the Archives of Ontario and through the administration under the terms of the legislation in its preservation.

Sometimes I think there is no more endemic form of selfishness than philanthropy. When largess is given to the public, there is almost always, under our system, a nefarious motivation behind it. In other words, it is a tax incentive, an alleviation of debt. But I suppose one could say it is better that these ancient and sometimes venerable properties come under provincial control. The maintenance of them would tax the beneficiaries of the estate and they would not be able to preserve them or keep them up in the way they should be.

I do not think it is so much in the area of real property that the problem arises. Certainly under the old Succession Duty Act, and the federal estate tax legislation, upon death it was always wise and advisable—at least lawyers thought it so—to make certain gratuitous, open-handed and what appeared to be generous donations to the public realm to get the tax advantages.

The tax advantages were not simply the valuation of the article. The problem was that when it came into public hands there tended to be an inflation of the actual value. In other words, at the public end of the thing, the assessment of valuations et cetera tended to be larger than what they might have got on the private market. Why that should be so puzzles me.

A former member of the House—I will mention his name: Dr. Morton Shulman—although he did not make any filibustering attacks on the issue, made mention of that facility and abuse in this House.

On a purely technical point—and I suppose if it gets to committee we can take it up—I do not know why the substituting section, which brings the ministry into operation under this legislation, is called part V-A. It seems to me it should have a different part number completely, because part IV is concerned with granting the plenitude of these powers to municipalities, as I said earlier. Part V goes off into a totally different subject matter; it deals with heritage conservation districts. That is a minor



and almost silly point, but I suppose it is better to keep these things straight.

5 p.m.

There are three areas that are concerned in the legislation. One is the business of imposing the restrictions, or the designations as they are called, initially, and the process and procedures, appeals, hearings, notices, time intervals, et cetera, elaborated under that. What the member has done is she has set it up within the provincial jurisdiction and directly under the minister and so on, retaining the procedural matters and the many sections almost word for word—and there is nothing harmful about that; it is all to the good—with a 90-day period. What she has done is she has eliminated the 180-day period with respect to refusals and so on that under the present legislation was delimited.

The member for St. George wants to give plenary powers in this instance in an amendment not just to the ministry but also, as I read the legislation generally, to the municipal realm. She wants to cut down some probably unnecessary language in the whole process by simply saying they may consent to the application or refuse the application, remove the property. It is fairly innocuous stuff, and I am the last one in the world to fight innuendo.

**Hon. Mr. Baetz:** Mr. Speaker, I would like to commend the member for St. George for her initiative in presenting this bill. It is obvious that we have a shared concern for the province's heritage.

Nevertheless, the member would have us introduce provincial designation, and to do so would represent a fundamental change in approach from our current legislation. We have here a philosophical difference. Our approach has been to build from the bottom up, not from the top down. We have tried to work with and through the local level, through the grass roots, to build an appreciation of heritage by undertaking public education, by providing some expert help and by rewarding local communities with financial assistance.

We feel that this tender flower, planted only six years ago, is now coming into full bloom, and to transplant it or to change the environment radically would be premature.

**Mr. Lawlor:** Oh, my Lord. How flowery can you get?

**Hon. Mr. Baetz:** I follow my friend's example. Our present act has been highly successful. It is working well, and has not

outlived its usefulness. To date, the Ontario Heritage Act has a fine record of success, and to bear this out I would ask members to consider these figures. Since its proclamation, local architectural conservation advisory committees have been established in 112 municipalities, 1,030 individual properties have been designated and work is at various stages in almost 50 heritage conservation district studies.

It was the intention of the act to give power to individual municipalities, and we believe this has been successful. The very number of LACACs established and the amount of activity is testimony to the broad base of grass-roots support generated. Where local commitment to a heritage conservation project has been strong, we have responded with financial assistance. Since 1975, more than \$17.5 million has been spent on heritage projects through our Wintario capital program and the Ontario heritage architectural conservation grants.

Local commitment is important to the conservation of heritage buildings. If a heritage building is to survive in the long term, we believe it must have a viable use; local commitment is often essential to finding such an use.

Only yesterday, I had the pleasure of visiting the community of Exeter. I was there to reopen the historic Exeter town hall, which has recently been renovated to become a multi-purpose building serving community and commercial needs. More than \$66,000 of Ontario Heritage Foundation grants and a Wintario grant of \$29,500 went into this project.

True, there was great debate locally as to whether it should be torn down or restored. But yesterday in a great state of euphoria even the mayor, who had originally opposed it, admitted to his faults and his mistakes and everybody thought it was an enormously successful project. Frankly, I feel there is far more community acceptance there and recognition of the value of the restored town hall than if some remote minister had designated that property as a heritage building.

The program is working. In the honourable member's own riding, I might point out that more than \$2 million in Wintario and Ontario Heritage Foundation money has been spent in restoring heritage buildings there. The Adelaide Court; the Bank of Upper Canada; the exterior restoration of offices of a privately owned complex at 49 Front Street East, restoration of cast iron front; the Pauline McGibbon Cultural Centre; the Gooderham

Flatiron building; the Toronto Free Theatre; Young People's Theatre Centre; Dundas-Sherbourne project—these are but some of the projects that have been restored in the honourable member's own riding.

Recently, I have had the opportunity to meet a number of times with ministers from other provinces who also have the responsibility for heritage, and a number of them look with envy on the success of our approach here in Ontario. In some other provinces where provincial designation exists along with municipal designation, there has been very little activity in either sphere as each level of government waits for the other to act.

There is no doubt that in some instances provincial designation has inhibited the growth of a grass-roots commitment to heritage conservation. We feel at this time it is important to continue to develop and strengthen this grass-roots base of support for heritage conservation at the local level.

Notwithstanding our successes, we know there are still many buildings to be protected. More municipalities should establish LACACs, and we are encouraging them to do so, and they should be working on heritage conservation at a very early stage. Some municipalities are still wary about exercising the powers vested in them under the act—

**Mr. Wildman:** Wary or weary?

**Hon. Mr. Baetz:** Wary; there's no "e" in that.

**Mrs. Campbell:** They do not have the money.

**Hon. Mr. Baetz:** They are wary about exercising the powers vested in the act because they are concerned about the reaction of property owners. It is not only a matter of not having the funds.

I am not in favour of the introduction of provincial designation at this point in time, because I am concerned that municipalities might see the introduction of a provincial designation as overriding municipal programs and rendering them redundant. What is suggested by the bill to be a residual role, I feel, would very quickly end up being a primary role; and while this would not necessarily be the case, I would prefer to see the municipal movement solidly established before considering the introduction of provincial designation.

We recognize that the bill reflects some valid concerns, which we share, and certainly nothing is etched in stone. However, for the reasons I have stated, we strongly feel it would be entirely premature to introduce changes to our legislation at this time and in

all likelihood to destroy what we feel is a genuine grass-roots feeling about conservation, a groundswell that is going on across the province, and a feeling that is going to be far more important in guaranteeing the success of preserving our heritage buildings than a program which inevitably would end up here at Queen's Park and which would not have the support of the communities across this province.

For the reasons I have stated, we will not be supporting this bill.

5:10 p.m.

**Mr. Nixon:** Mr. Speaker, I regret not only that the minister has indicated he cannot support the bill but also that he is apparently speaking for his whole caucus. I thought these matters were to be debated and decided on their merits by the individual members rather than to come under the whip of the minister in a matter such as this. Surely the bill is in no way critical of what has been done. This bill is not a tremendous step in the direction of the centralized powers the minister would be able to wield. It simply recognizes that many communities have not responded to the rather weak stimulus the government's legislation has provided.

It was in the centennial year of 1967 that we first dealt with the legislation. It lay fallow for a long time, until 1974, when some provision was made for some statutory powers and some money to spend. What has been accomplished is commendable. We are not here to be critical of that. However, I think it is true to say that most other jurisdictions do not place so many preconditions on the designation of an historic site or an architectural structure to be conserved. We have been very careful that delays and powers at the municipal level are such that no one can complain we are moving too quickly.

I suppose it is difficult to balance all these pressures, but I do want to mention specifically that in my own municipality of South Dumfries the council in their wisdom—and I use that word appropriately from my judgement—decided to abandon a relatively new but inadequate structure for their municipal offices and persuaded the local citizens to support them in the purchase of a grand old building. It was built in 1880 and was the doctor's residence in our community. Fortunately, it was kept in good repair but the council feared, since it was passing out of a function as a nursing home, that it would be lost to the community and realized with some imagination that it would make



good municipal offices. They purchased the property and, with a good deal of local labour, including the members of the council themselves, they have made it into a superb municipal office.

I wish I could convey to you, Mr. Speaker, the excitement and enthusiasm of the community when we were there for the inaugural meeting and the opening of the office. Certainly, that community accepted the local leadership very well indeed. However, my problem is that there was little or no support from the minister's officials in this connection. They were repeatedly informed of the council's plans, but we had to bring the matter to their attention repeatedly before there was even an inadequate acknowledgement that this was going forward. If the minister is going to save all his funds and initiatives for those communities that are dragging their feet, it does not seem fair to those who are taking the initiative. They see the funds being spent in other areas when the disposition of them might be more judiciously entered into.

I am talking about a situation in my community where there has been something less than complete satisfaction expressed. I live in an historic site myself. The designation there was a great honour. It does not carry with it anything particularly advantageous. If the minister wants to pay my taxes, I would be very glad to negotiate that with him. I should say I mean the half of my taxes that remain for me to pay, because as a farmer I get the advantages that other farmers have, at least for part of that tax bill.

One of the advantages—and it was entered into rather late—was that in a designated historic site it is not legal for hydro towers to come within half a mile. Unfortunately, we had nine of those towers within half a mile before the wisdom of the government led them to make that regulation. I wish it could be made retroactive, but that would simply mean they would be on somebody else's property. As the former member for Brant used to say, "You cannot stand in the way of progress, electrical or otherwise."

One of the things we look forward to as far as the foundation is concerned is that it appears the government is moving to change the chairmanship. Frankly, I have been very satisfied with the present chairman, Professor Wise of Carleton University, who has given eminently successful leadership and certainly enjoys the confidence of the members of the board that I happened to be

talking to. He also enjoys the confidence of the community, particularly the local architectural conservation advisory committee, which is so useful at the local level, as the minister has already indicated.

The appointment of John White as vice-chairman is an indication that the government is going to reassert its interest in this matter. I am not sure whether they appointed John White because of his well-known propensity for visions and dreams, but I suppose leadership in the Ontario Heritage Foundation should go with a visionary person. It perhaps should go with a person who is not as concerned with conservation of dollars when he sees they can be spent with a long-term view to conserving our architectural and historic heritage.

**Hon. Mr. Baetz:** You overlooked the illustrious Mr. Wise, the present chairman.

**Mr. Nixon:** That is the man I am referring to. He is the present chairman; I hope he continues. But as I see John White moving in there, and knowing his tremendous success in convincing the government of his abilities in the past, I feel the future is fairly clear when we look at the senior administration of the group. While I am not prepared to argue here the former Treasurer's abilities in this connection, since he is not in the House and we used to have some exchanges of that type, frankly I, for one, am satisfied with the administrative leadership.

I do think, however, that if we are going to increase the powers, either of the municipalities or, as this bill would to some extent, the powers of the minister, we might as well face the fact that the costs are going to increase as well. Frankly, I think we have provided for the administrative costs rather well. Perhaps a rather larger proportion than might otherwise be the case has gone into administration, rather than to the provision of seed dollars for LACACs and others.

I should not complain about this because the heritage foundation was good enough to provide me with some money to do some research on my illustrious father, the former member for Brant. I know the minister is holding his breath, but I hope there will be some publication resulting from that research that will reflect the usefulness of that assistance. I do believe it is essential not only that we encourage local communities but also that we accept some responsibilities here as members of this House. Particularly we have some responsibility in those communities where LACACs have not been formed and the municipal officials have

shown little or no interest—even a negative approach—to the prospect of saving a good many of these buildings and other facilities of architectural importance.

There is not a tremendous outpouring of interest in the debate on this bill, and it does not presume by any means to solve all of the problems that have been faced by the foundation or will be faced by it in the future. But it is an important step, emphasizing the concern of the members of this House and the fact that we believe the minister should have some additional responsibilities. I for one—and I believe the member for St. George would agree—feel we should not simply depend on Wintario revenues in this connection. This is not that I think that money is tainted exactly, but I do feel it ought to form a broader basis of the policy of the government, or reflect the views of this House, rather than just throwing a few lottery dollars towards this program.

I know the minister's sensitivity; he gets very defensive. I hope I have indicated in my remarks that we feel a good many things that have been done have been useful. As the minister has said, and I support him in this, it has stimulated a good deal of grassroots interest which may very well falter unless there is more support and leadership given by the ministry and the foundation itself. By this I mean the provision of dollars. Without that, we are not going to be able to preserve the heritage that we all agree is of such great importance.

5:20 p.m.

**Mr. Warner:** Mr. Speaker, I am pleased to rise this afternoon in support of the bill before us, the bill that has been drafted by our colleague the member for St. George.

It seems to me that over the years we have taken far too lightly the protection of our heritage. The history of our province and the heritage of our people are, in part, found in the buildings and the landmarks around the province. I am sure just about every member in this assembly can recall at least one or two buildings in his own area which have disappeared suddenly, old buildings that were perhaps an integral part of the history of the area. Suddenly, for whatever reason, they have disappeared.

In my own area in Scarborough, for example—

**Mr. Wildman:** Is there anything old in Scarborough?

**Mr. Warner:** Oh, yes. The member for Algoma, my good colleague, asked if there

is anything old in Scarborough. In addition to some Tories there are some other old things in Scarborough.

**Mr. Williams:** Just the ideas of the sitting member.

**Mr. Warner:** No, not at all. The good borough of Scarborough, as many members know or should know, was first visited by David and Mary Thompson. They were the first white pioneer settlers in the area. Later, Governor Simcoe arrived, and he and his wife found Scarborough to be enchanting.

**Mr. Nixon:** Enchanting? Is that the word they used?

**Mr. Warner:** Enchanting, yes; delightfully so. She was particularly intrigued with the bluffs along the south part of Scarborough. They felt this would be a lovely place for people to settle.

**Mr. Wildman:** He was quite a bluff old chap.

**Mr. Nixon:** Did you know they had seven children in six years?

**Mr. Warner:** Is that right? He was also an active fellow.

What happened is that many people came to settle in Scarborough. We have been able to retain David and Mary Thompson's original homestead. It is now very pleasantly situated in a park, David and Mary Thompson Park, which happens to be in my area. It is in a lovely setting and contains an enclosure for the farm animals, the actual log cabin and some of the history there. On occasion, they are able to have little receptions, serve tea and so on. It is a little step back into our history and a reminder of our past.

I suppose the more famous buildings downtown that we recall, which have been saved, are the Campbell House and the Mackenzie House, both of which are visited by the public and are retained as reminders of our past. What disturbs me is that over the years it has been far too easy to simply push the buildings aside, demolish them and say we have to make room for a new building, for some modern skyscraper, with very little consideration that we are removing a part of our past. If we remove the past, the chances are we will forget it entirely. I think then we will have a very shaky foundation from which to build a good future.

Whether in rural Ontario or urban Ontario, we have an opportunity to preserve our buildings and to blend them into our modern buildings. For example, I have had



an opportunity to visit Boston on a couple of occasions. I was struck by the way in which the city of Boston has managed to put its new buildings in conjunction with the old buildings in a blended way. It does not appear unusual. One can visit the old buildings. They are there and they have plaques on them. Yet the modern architecture has been designed in such a way as to accommodate the older buildings. I think they have done a marvellous job in Boston.

In Toronto, in the last few years we have managed to hang on to a few of the old buildings. For example, I have a picture in my office, and the member for St. George may have as well, of the Gooderham Building on Front Street. I wonder how long it will be before that building is destroyed. It is a beautiful old building that should be preserved.

We have had great debates in our city over the retention of the old city hall, the Union Station and other buildings. I feel there is not sufficient protection for those buildings. What the member for St. George has done is to provide an excellent framework within which we can operate as the assembly of Ontario, to ensure that our buildings which reflect our heritage can be protected and will be protected.

I am not entirely sure what the member for Brant-Oxford-Norfolk was getting at when he referred to Wintario funds, but it seems to me that if we have something as important as buildings which reflect our heritage and background that we should not rely simply on the lucky draw as a way to protect those buildings.

I say this because I have had the good fortune to visit my wife's aunt and uncle, who live in the small village of Groombridge in the county of Kent in England. They live in a house that is 450 years old. It is designated as an historic site. That means that no alterations to that main structure can occur without the express consent of the historical board or society, whatever it is referred to as. What that means, of course, is that building has retained the very flavour and nature with which it was built some 450 years ago. The original beams exist on the inside, and the outside facing is still as it was in that era. When you are inside the building you get the distinct feeling that you are stepping back to that era. It gave me a very warm feeling and the sense of roots, because that is the area from which my ancestors came.

They have done a marvellous job in England of being able to identify their historic

buildings and they have found a legislative way to hang on to that, retain it and ensure the building cannot be altered in some cavalier fashion or even destroyed. I think that is essential. It seems to me that we are very new at that game. We have a long way to go in learning what that is all about. The first step or one of the steps involved is, quite frankly, this important bill which is before us today.

In closing, I wish to commend the member for St. George. As usual, she has taken the time and care to draft a very important piece of legislation. I hope it will receive unanimous approval, as it deserves, and that we in Ontario will take another step forward in ensuring that we will protect, for our children, grandchildren and great-grandchildren, a part of our heritage, our roots so we can provide the most stable kind of society that is possible.

**Mr. Williams:** Mr. Speaker, I am pleased to have an opportunity to rise and participate in the debate on Bill 161 this afternoon. I must say, on the basis of all the debate that has come forward so far this afternoon, at least we are unanimous on one thing; that is, the Ontario Heritage Act, 1974, is fulfilling its intended purpose. It is not often that one hears members from all sides of the House being complimentary with regard to existing legislation and conceding the fact that the legislation is fulfilling its designated purposes and fulfilling them well.

5:30 p.m.

I must say I was somewhat surprised to hear the extent to which the province has financially participated in the program since its inception. The member for Lakeshore (Mr. Lawlor) at the commencement of his comments suggested he could not understand why the member for St. George was bringing this legislation forward today; he did not see any real need for it. I found that to be all the more the case when I found out from the minister in his comments that more than one ninth of all the money funded by the province, some \$17.5 million, has found its way into the riding of St. George. I recognize, however, that we are in the central core of one of the older cities of the province, and for that reason I suppose it is understandable that some of the older edifices would be found in that sector of Metropolitan Toronto.

I might digress for a moment and suggest to the member for Scarborough-Ellesmere (Mr. Warner) that, if he had done his homework, he would have found that the Gooder-

ham Building to which he referred has already been designated under the program as one of the heritage buildings. So his concern about its perhaps being demolished overnight behind someone's back just has no basis in fact. I think it reflects the enlightened thinking of this province that buildings of that nature have been protected by this program.

The member for Brant-Oxford-Norfolk (Mr. Nixon) expressed some scepticism and wondered whether there was a concerted effort to take issue with the member's bill, and what I am going to say would suggest that the minister had taken some of the comments from my speech when he expressed concerns and reservations about the bill. The fact is, I have no prepared text but really am proceeding on the basis of what I feel to be two real concerns with regard to being able to give support to this type of legislation.

Before I address myself specifically to those two concerns, I want to highlight again the success this legislation has had as it has affected my own community in the city of North York. We have a number of very successful heritage sites that have been established under the auspices of the act through the initiative of the local municipality.

I refer in particular to five specific locations that have been proclaimed as sites under the heritage program. There is the historic Thomas Clark House. There is the Michael Sheppard House, after which Sheppard Avenue has been named. There is the well-known David Gibson House, which is probably the leading historical site in North York and which attracts thousands of people, not only from within our city but also from beyond, each and every year. I would say it is one of the outstanding historical buildings in Metropolitan Toronto outside of perhaps the Grange itself in the inner city.

Then, too, there is the historic and most attractive St. John's York Mills Anglican Church, which has been designated as an historic site. It is a beautiful structure overlooking the Hogg's Hollow area, and so it should have been preserved and designated. In the northeast sector of the city, in my own area, we also have the Zion Primitive Methodist Church and the Zion school, which again are noted historical buildings that are steeped in tradition. These are examples of how the program has worked and has worked well.

I must say that I commend the member for the manner in which she has endeavoured to bring forward legislation that in her mind

she felt would perhaps improve upon an already good system, one that has been so acknowledged this afternoon in the Legislature. However, I have two main concerns, and I think they are reasons that prevent me from supporting the concepts that have been put forward in the legislation. The sponsor of the bill has spoken to them herself.

The first principle that I find difficult to support is the provision that the 180-day time period would be excluded under her proposed bill. She suggested at the outset of her remarks that it might be deemed by some to create inequities for those who own property. With respect, I think that is an understatement. It would do more than possibly create some inequities.

People who have the good fortune to own property that could conceivably be designated historical would be put in an untenable position. They could have their property tied up for an indefinite period of time by any municipality that might want to act in a frivolous way on any suggestion that might come from any direction. It would, in effect, sterilize the property for a period of time without any suggestion of fair compensation being provided while the person's property is being held in limbo, so to speak.

That is a provision that disturbs me because I think, first and foremost, over and above the rights of the individuals that we discussed earlier this afternoon when dealing with the mandatory retirement age legislation, one of the other fundamental democratic principles that I think we all respect and adhere to is that of the right of private ownership. While it was a bold step when the original Ontario Heritage Act, 1974, was enacted, because it did transgress to some extent upon that principle, it was well understood that it did essentially preserve those rights of private ownership because it imposed very specific and brief time limitations.

To remove those protections would give a whole new dimension of encroachment upon the rights of private ownership. For that reason alone, I cannot subscribe to the legislation that is before us today. It is just too fundamentally opposed to the principles that I and, I am sure, many of us in this Legislature uphold.

The other consideration is the one that gives direction to the move from the area of municipal responsibility into the area of provincial responsibility. I find this rather interesting, because it seems that for the sponsor of this bill to bring this concept forward today is so much in contradiction to the prin-



ciples that she has enunciated on so many occasions in this House, along with her colleague the member for Brant-Oxford-Norfolk. They have always championed the cause of the municipalities and have always accused this government, in its legislation, of coming down heavy-handed upon the municipalities and depriving them of their rights and opportunities to make decisions at the local level where so many of these things happen. Yet we see the member going contrary to this very concept. I do find an inconsistency there that rails against her own beliefs and certainly against the principles that I would uphold.

**Mr. Cunningham:** I will speak very briefly, Mr. Speaker, in the event that other members would like to participate. I sense the opposition from the other side to this legislation is based more on narrow partisan considerations than on logic. Certainly across Ontario we have had dozens of historic sites preserved by local architectural conservation advisory committees, by well-meaning town councils, by citizens and even by the province.

Surely the member, especially since he is a lawyer, would realize the extreme financial pressure put upon municipalities for assessment and the pressure put on municipalities by very wealthy developers to level historic properties and put in their place something that would be financially more beneficial to them. Such is common sense, I suppose, from a business point of view, but that kind of thing is not going to guarantee the preservation of buildings that would be in the public interest today and in the future.

5:40 p.m.

I know the minister and his staff have been contacted by people from the town of Dundas who are concerned about the destruction of the Grafton Building in my own constituency. If this legislation, as amended by the member for St. George (Mrs. Campbell), were in place and the minister were prepared to show leadership, especially in the context of the provision of money, then this facility might well be retrofitted, improved and strengthened, and they might find some practical use for it.

In the absence of any of that, the town council by law has no other choice but to allow a demolition permit to go forth. The Ontario Supreme Court has directed that, and in a matter of a month or so this building will be torn down. This, in my view, is somewhat regrettable but, unfortunately, that is the harsh reality, given the lack of financial support from the province.

Well-meaning citizens in Ancaster, Dundas and Waterdown—all in my constituency—have saved and preserved all of our town halls. The old Ancaster town hall is a meeting place that dozens of individuals now use at a very low cost. In Dundas, they have made an addition to the old town hall and have improved it, and it stands as a monument to the foresight of the people who were involved in that centennial project. In the village of Waterdown, where I reside, our old town hall has been turned over to the municipality as a library and is being preserved. But this was done without a great deal of support, in my view, from the current minister, who of course was not here at the time, or by the government. It was through the foresight of the citizens in the area.

I do not think we should be put in a situation where we have to rely so casually on the good intentions of some people who may reside in a municipality. The member for Brantford-Oxford-Norfolk and the member for St. George have articulated very clearly the primary problem here, and that is money. The minister should use what little clout I think he has in cabinet to direct a small fraction—one per cent maybe—of the land transfer tax to be set aside for the purchase, subsidization or assistance for heritage buildings across Ontario.

Members of all parties have made reference to a number of the heritage facilities we have saved in Ontario. I am proud of my wife's family, descendants of a tavern keeper in the riding of Humber, a fellow named Montgomery. That fine facility, Montgomery's Tavern, has been preserved.

But many of these buildings, without direct government intervention in the near future, are going to be subjected to the bulldozer, and the minister knows that only too well. The economic pressures placed upon councils to obtain assessment are far too great. The time has come, I believe, for the ministry to take some real leadership. It should get in there and help those municipalities, provide guidance with regard to architectural support and design, and provide leadership long before they are put in a crisis situation where they are called to respond to a demolition permit that has been required by law by a municipality.

**Mr. Speaker:** I would remind the honourable member who is speaking that the member for St. George has reserved seven minutes.

**Mr. Cunningham:** Mr. Speaker, I will conclude right now and implore the government

members to reconsider their collective opposition to this and recognize what is a good piece of legislation, what really is in the true spirit of private members' hour today.

**Mrs. Campbell:** Mr. Speaker, I will try to respond to some of the remarks which have been made.

The member for Lakeshore is quite correct. In the normal course, I do support local initiative, without any question. The difficulty is that since 1977 the various local architectural conservation advisory committees and other groups have requested that the municipalities be given the authority to designate provincial buildings—those of provincial agencies within their boundaries and others. They really do not have that authority.

Second, there are many municipalities that have not set up committees. I think it is a pity that we might lose very important historic buildings because of either a lack of enthusiasm or the very real concern that they do not have the money to be able to purchase the building. The bottom line is really the ability to purchase.

It is true that there have been many renovations in the riding of St. George. I attended the occasion of the designation of the Royal York Hotel. I did not think even the city of Toronto would try to acquire that. I am pleased that the city of Toronto will likely not be required to acquire Osgoode Hall and some of these other historic places in this capital city of the province.

**Mr. Eaton:** Hogtown.

**Mrs. Campbell:** I see. May I just say that the Premier of this province (Mr. Davis), in the presence of the former Lieutenant Governor, confirmed that it is still the capital. Surely a capital city has some place in this country, be it Ottawa, Toronto or whatever. By very reason of the fact that that is its position, it does have historic monuments and buildings, as indeed has Kingston. As I pointed out, it was Dr. Angus from Kingston who brought forward the resolution I referred to.

I would like very much to see every municipality suitably funded to be able to exercise that bottom-line position of purchasing those properties which, in the opinion of the municipality, are important as heritage buildings. I have no hope that can be done; so it was my earnest concern to bring the province into an active participation in the whole designation process. A commitment from the

province is what I am really seeking in this legislation.

I have been in correspondence with the minister as he is studying the way in which the revised capital funding from Ontario may be used for the preservation of historic buildings. But how long, O Lord, how long? The buildings are coming down. There is no question that we are losing historic buildings. Once they are pulled down, the tragedy is there is nothing one can do to help our children understand that which is our heritage.

I would infinitely prefer to see the municipalities given the authority to hold up demolition, the authority not to be under a gun, the authority to have the funding they need. I would be quite happy with that. If that kind of authority, even over provincial buildings, could be granted to them, I would not even seek to have the minister designate anything.

Because I do not see a way out of this impasse, I felt the next useful thing to do was to bring the ministry into a commitment, not encouragement, to the preservation of our heritage.

5:50 p.m.

#### AGE OF RETIREMENT ACT

The House divided on Mr. Leluk's motion for second reading of Bill 77, which was agreed to on the following vote:

##### AYES

Ashe, Auld, Baetz, Belanger, Bernier, Breithaupt, Brunelle, Campbell, Conway, Cunningham, Cureatz, Drea, Eakins, Eaton, Edighoffer, Elgie, Gregory, Hall, Havrot, Hodgson, J. Johnson, Jones.

Lane, Leluk, McCaffrey, McCague, McGuigan, W. Newman, B. Newman, Nixon, Norton, Parrott, Peterson, Pope, Ramsay, Rotenberg, Roy, G. E. Smith, Sweeney, Taylor, Turner, Van Horne, Villeneuve, Walker, Watson, Williams.

##### NAYS

Bounsall, Charlton, M. N. Davison, Di Santo, Foulds, Germa, Gigantes, Isaacs, R. F. Johnston, Kerrio, Lawlor, MacDonald, McClellan, McKessock, Philip, Ruston, Swart, Warner, Wildman.

Ayes 46; nays 19.

Ordered for committee of the whole House.

6 p.m.



## ONTARIO HERITAGE AMENDMENT ACT

The following members having objected by rising, a vote was not taken on Mrs. Campbell's motion for second reading of Bill 161:

Auld, Ashe, Baetz, Belanger, Bernier, Brunelle, Cureatz, Drea, Eaton, Elgie, Gregory, Havrot, Hodgson, J. Johnson, Jones, Lane, McCaffrey, McCague, W. Newman, Norton, Parrott, Pope, Ramsay, Rotenberg, G. E. Smith, G. Taylor, Turner, Villeneuve, Walker, Watson, Williams—31.

## BUSINESS OF THE HOUSE

**Hon. Mr. Gregory:** Mr. Speaker, pursuant to standing order 13, I wish to indicate to the members of the House the business for the rest of this week and next week. This evening we will continue the debate on the report of the select committee on constitutional reform; tomorrow we will resume consideration of the estimates of the Ministry of Northern Affairs.

On Monday, November 10, the House will not sit since that is municipal election day.

On Tuesday, November 11, the House will not sit because of Remembrance Day.

On Wednesday, November 12, three committees may meet in the morning: general

government, resources development and plant shutdowns.

On Thursday, November 13, in the afternoon we will consider private members' ballot items 33 and 34, standing in the names of Mr. Charlton and Mr. Williams. In the evening we will have the statement by the Treasurer (Mr. F. S. Miller) and replies.

On Friday, November 14, we will complete consideration of Bill 168, the Juries' Amendment Act, and Bill 169, the Dog Owners' Liability Act, third readings of bills on today's Order Paper, and concurrences in estimates of the following: the Ministry of Culture and Recreation, and the Ministry of Transportation and Communications.

**Mr. Foulds:** On a point of order, Mr. Speaker: I was listening very carefully to the acting government House leader. I believe two items were omitted: the committees that are sitting on Wednesday afternoon and the request from the effervescent Hydro affairs committee for its sitting time on Wednesday.

**Hon. Mr. Gregory:** Up until now, Mr. Speaker, we have never specified those committees in the statement because it is on the same schedule as the rest of the weekly schedule; so we are following the regular schedule as we do every other week.

The House recessed at 6:03 p.m.

## APPENDIX

(See page 4120)

ANSWERS TO QUESTIONS  
ON NOTICE PAPERMINISTRY OF ENERGY  
EXPENDITURES

**362. Ms. Gigantes:** Will the Minister of Energy table the actual expenditures of his ministry which were not available during consideration of his 1979-80 estimates in April 1980 and which were not contained in the annual report of the Ministry of Energy published in July 1980? (Tabled October 23, 1980.)

See sessional paper 278.

## MINISTRY OF ENERGY POSITIONS

**361. Ms. Gigantes:** Will the Minister of Energy table information to indicate which of the 47 authorized positions of the ministry which were vacant during considerations of his estimates in April 1980 have now been filled? (Tabled October 23, 1980.)

**Hon. Mr. Welch:** Of the 47 authorized position vacancies at April 1980, the following have now been filled:

Assistant deputy minister's secretary; intermediate administrative secretary; junior administrative secretary; junior administrative secretary; intermediate administrative secretary; junior administrative secretary; adviser electric power; analyst; library technician; unit manager industrial; adviser transportation; planner; residential projects assistant; Heat Save project manager; section manager biomass/energy from waste; financial projects adviser; adviser solar energy; unit manager municipal solid waste; editor; inquiries officer; supervisor technical services; community relations officer; bilateral co-ordinator; projects assistant; planning and policy co-ordinator.

In addition to the foregoing, the following positions are currently proceeding through the competition process:

Director, energy conservation; project leader, solar; project leader, biomass; adviser remote power; project leader, energy from waste; project leader, solar; production co-ordinator; copy writer; unit manager, solar demonstration.

The remainder as follows, are currently vacant:

Intermediate administrative secretary; administrative clerk; junior administrative secretary; junior administrative secretary; central

services clerk; text-data entry secretary; intermediate correspondence secretary; photo-composition specialist; administrative co-ordinator; analyst; section manager, residential; unit manager, new buildings; project analyst.

SAFETY OF ONTARIO'S  
NUCLEAR REACTORS

**363. Ms. Gigantes:** Will the Minister of Energy table information on the government's plans to implement each of the 24 recommendations from The Safety of Ontario's Nuclear Reactors which requires action by Ontario? (Tabled October 23, 1980.)

**Hon. Mr. Welch:** The final report of the select committee of Ontario Hydro affairs contained 24 recommendations, the majority of which were directed to either Ontario Hydro or the Atomic Energy Control Board.

The Minister of Energy has referred the appropriate recommendations of the select committee's report to the chairman of Ontario Hydro and to the federal Minister of Energy, Mines and Resources. Copies of the letters of referral follow.

Recommendations three and four referred to the formation of a council in Ontario to make recommendations on radiation matters to an appropriate Ontario minister.

As the parliamentary assistant to the Minister of Energy, Mr. George Ashe, MPP, noted during the debate of the select committee's final report on October 9, 1980, there is some question about the advisability of creating a new advisory body in an area which is the responsibility of the federal Atomic Energy Control Board. Consequently, further consideration is being given to these recommendations.

October 31, 1980

Honourable Marc Lalonde,  
Minister of Energy, Mines and Resources,  
580 Booth Street,  
Ottawa, Ont.  
K1A 0E4

Dear Minister

I would like to bring to your attention the final report on the safety of Ontario's nuclear reactors by a select committee of the Ontario Legislature on Ontario Hydro Affairs. This report was tabled by the committee in June



1980 and accepted by the Legislature on October 9, 1980. It contains a number of recommendations which are directed to the working of the Atomic Energy Control Board.

I would also draw to your attention resolution 34 by Mr. S. Cureatz which was debated and accepted by the Ontario Legislature on November 8, 1979, and which is, in my view, similar to recommendation X of the select committee's final report on the safety of Ontario's nuclear reactors. I enclose a copy of that debate for your information.

During hearings held in 1979 and 1980 into the safety of Ontario's nuclear reactors, the committee enquired extensively into the regulatory process and the assurance of safety that the work of the Atomic Energy Control Board afforded the people of Ontario. I would like you to know that, for its part, the Ontario government firmly believes that a strong, independent and adequately funded Atomic Energy Control Board is in the best interests of the nuclear industry of Canada and the citizens of this province.

Yours sincerely,  
Robert Welch,  
Minister of Energy.

Mr. H. L. Macaulay,  
Chairman,  
Ontario Hydro,  
700 University Ave.,  
Toronto, Ont.  
M5G 1X6

October 31, 1980

Dear Hugh:

As you will know, the final report of the select committee on the safety of Ontario's nuclear reactors was debated in the Legislature and accepted on October 9, 1980.

That report contains a number of recommendations directed to Ontario Hydro and I would appreciate your keeping me informed as to how Ontario Hydro believes those recommendations may best be implemented.

Yours sincerely,  
Robert Welch,  
Minister of Energy.

#### INTERIM ANSWERS

On question 368 by Mr. Stong, Hon. Miss Stephenson provided the following interim answer: We require additional time to prepare our response to the above question. The answer will be ready for tabling on or about Thursday, November 20.

On question 369 by Mr. Stong, Hon. Miss Stephenson provided the following interim answer: We require additional time to prepare our response to the above question. The answer will be ready for tabling on or about Thursday, November 20.

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Thursday, November 6, 1980

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, NOVEMBER 6, 1980

The House resumed at 8 p.m.

## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

(continued)

Resuming the adjourned consideration of the report of the select committee on constitutional reform.

**Hon. Mr. Gregory:** Mr. Speaker, to the best of my knowledge there has been no agreement between the parties about the distribution of time this evening. I have no strong feelings about it, but could we make an arrangement agreeable to the members of the opposition that we split the time three ways? I do not particularly feel strongly about limiting the time for an address, but could we have agreement to split the time three ways?

**Mr. Speaker:** Is there a consensus?

Agreed.

**Hon. Mr. Gregory:** Could we further table the request that the clerks keep the time? Thank you.

**Mr. G. Taylor:** Mr. Speaker, I am continuing the discussion from the last day when I had a very few minutes at the end of the evening on this. I would like to continue on in regard to this very important document, the report of the select committee on constitutional reform.

I guess, going back to the title of that document, I am heading into the subject of constitutional reform, because there are many theorists and I fall slightly into that category at times. Given today's constitution and given today's legislative ability, there might not need to be any precise political reform, as we know it, to the words of the constitution, but rather reform in the habits of carrying out the present constitution. However, that would not be in the perspective of what politicians would like to do, given what possibly we are reading about what the citizenry of this country would desire us to do or what is in the best interest of the country that we not do, but we do have to make some reforms in how we conduct the affairs of this country, both fed-

erally and provincially and together in those two jurisdictions.

Even in our present document and in the document put forward by the federal government, known as the constitutional resolution or the Canada Act, it is not perfection. It is not perfection in my eyes or to my knowledge as a citizen of Ontario. It is not perfection in my eyes as a lawyer. It is not perfection in my eyes and to my knowledge as a politician, nor is it perfection to me as a Canadian. But it is an attempt at a compromise and at a solution and, as politicians, we must be perceived to seek a solution. Indeed, past that perception, we must act and find a solution to our different perspectives as to how we conceive this country to be governed and how it should proceed to be governed in the future. It is desirable that we follow that.

That is the route we went in trying to accommodate some of the 12 different subjects we dealt with in this report. It is from that that we have taken a perspective of the economy, a perspective of history and a perspective of political views, because it is from all of those at the time that constitutions flow. It is not devoid and, as I spoke the last day, carried out in a vacuum. The constitution must come from all those: social conditions, economic conditions, political conditions and the history that is ongoing at that particular time.

One cannot impose a constitution on the country. If one so desired, we could look up the constitutional precedent books and pick out the best one and say: "Hey, that is very good for us. That is all we need." That is not the way a constitution develops. We cannot even today, as the impression is given of taking place, have the federal government impose its will upon all of the people. I hope and am very desirous that the protagonists in this constitutional debate will not be that for long but will seek out some compromise. I hope our report has some added features to that constitutional debate where it will resolve possibly some of those differences.

Speaking of those differences on this present particular topic, from a very analytical point of view one could take our report and take the federal government

position, and sit down and analyse them in a very critical and very severe nature. Overall, they are put forward as a possible solution, although there are deficiencies in both of them. From my own personal perspective, if I were looking at the federal government position, I guess the charter of rights and the referendum position would be the most controversial ones from my viewpoint of the present constitution because they will be invading areas that we have not gone into before. They will be invading in particular the charter of rights where it deals with the civil features and invading many of those jurisdictions that have been under the provinces previously.

Similarly in our own document, which we put forward as a committee document and a type of compromise and consensus, I personally might make some changes, but it has gone forward as a compromise. Those areas that would offend me most would be the civil rights areas, the referendum section and Senate reform. However, a great deal of compromise—call it a majority position by whatever form—has put this document together, and I think we can all support it and live with it.

As we look at this constitutional debate, the other areas that give me the greatest concern are those areas we are trying to take from other jurisdictions. I know when we try to improve upon our own situation, we take that little bit from each other jurisdiction and impose it on ours. I hope as we proceed forward, both at the federal level and at the provincial level, that we have not borrowed some of those things that will be directly contradictory to those traditional positions we have taken in our legal systems, our court systems and our parliamentary systems, and that those we have borrowed will not cause us too great a difficulty when we overlay those on to our present constitutional discussion, so that we will end up with some type of hybrid that will not give us any greater situation than we have at present and indeed may give us a worse one.

8:10 p.m.

I would like to give some of the different perspectives that we achieved as we went across the country and relate how interesting it was as we went through each individual province. As we moved about, some of the perspectives that were given to us were not, as has been discussed in the media, all that sweet to our palate; indeed, some of them were very sour to our palate.

Some of those perspectives have changed today. As I recall, when we met the Nova

Scotia people, there was a suggestion that their attitude was: "Why worry about the offshore ownership? Why not do a split of the income instead of the ownership rights?" That has been taken care of in the most recent federal budget, where they have split 75-25 on the resources. Again, there was some question about the ownership, but they are not worrying about that. The budget has given a potential split of the revenues from the offshore resources.

There was a strange statement from Mr. Hatfield when we went down to New Brunswick. His idea of equalization, "The equalization program is very good; we believe in it. We also believe in a very strong central government that would tax those other jurisdictions to equalize us so we could have some of that money. But let us decide how to implement those programs and not have it come down from Ottawa." There again, they are supportive of equalization, as our document is, but they view it from a different perspective.

As I have mentioned, Nova Scotia's perspective of gas and fishery resources was different even amongst their different members who were sitting around the table. They had a difference with other provinces as to how fishing rights had to be split. We tried to look at that. We learned a great deal. Coming from a province with very inland fisheries, we did not know a great deal about the fishery perspectives, but we did learn from that document.

When we met with the mandarins in Ottawa, as I mentioned last week, we learned how Ottawa's viewpoint was the only viewpoint. When it gets to the committee, I hope the political level will soften that hard approach and there will be some compromise.

We also met with the Senate. Although we have discussed the Senate in our document, the Senate was very sure that it had a place, although not as we had described it—the senators had some of our draft positions before them—but a place only in the federal area. They did not think they could be of assistance to the provincial area except as being a method of communication—not a house of the provinces, as has been discussed, or any other creature that was not traditionally in the federal government.

The Yukon, as we state in our report, is a very particular place; this became even more evident when we saw that they had two levels of government and when we saw how recently the white man—I will use the term, although some may not like it—had been there as compared to the native or Indian



populations, who have been there for so long and for so many generations. Indeed, we appeared as interlopers upon their land in a different way from what they had been associated with and for different purposes. We were there layering the white man's legislation into their way of life. This became much more vivid to us as we saw the magnitude of the land, how the people were using the land, and how the interloping white man had come upon the scene as recently as 75 years ago.

It became very evident in our discussions that the claims of the native people there had to be resolved in a different way before they could proceed, because they do have two parallel governments proceeding forward, that which was created by the federal government and that which the native people are still continuing in their traditional habits. That will have to be resolved, as we will have to resolve some of what I call the white man's jurisdictional disputes. Again, those two disputes will have to be resolved in that particular area.

Alberta presented another perspective entirely. To describe it, one would have to say, "Let us look at the body language, the body English, that is being used." One did not need the words. The perception from those politicians we met was that there was a position they had that was not to be moved from and, as I said, it was exuding from their bodies. Indeed, we did not meet with their politicians as politicians; they found another umbrella for us to meet under. We were not really meeting with their government. I think they were apprehensive as to what was going on with this committee. It was a new process to have another provincial committee meeting with them on an issue that was being spoken to at another level.

In Saskatchewan, we could see that their legislation had developed in a certain way. If we go back in their history, there was an intertwining of religion and politics. A lot of their statutes had a closer relationship to religion and politics and a total reliance upon the land and, more recently, its resources. If the land and its products were not successful, that government and their people were not successful. They felt that, as a result of what was taking place at the federal level, there was going to be an intrusion on what they could see was a way of life as embodied in their statutes. We and other jurisdictions possibly do not have so much of this.

In Newfoundland, we saw the insertion of a law, an economy, a newfound resource upon a traditional way of life—a fishing way

of life, an entrepreneurial, rugged, individualist way of life. Their life was so dependent upon those habits of nature and the abundance of their natural resources, more so than ours. In Ontario we have a manufacturing base, in some respects an artificially created one, while theirs in Newfoundland is based on historical patterns that still continue on. This quick and heavy intrusion of oil in all its magnitude, bringing on such drastic changes that we do not see in our economy, was taking place there.

How can we accommodate each one of these with legislation? It is a very difficult process indeed to draft a piece of legislation that would apply across each province and take care of each of their problems, their concerns, their way of life and their historical situations.

In Quebec I found they could see their present, their past and their future not so greatly dominated by these new economic powers as by a communications bombardment from the outside world. They had a total feeling of their own destiny and were trying to preserve those roots and the cohesive closeness that was not there in the other political jurisdictions we visited.

How do we resolve all this? It was not, at times, a game for politicians or historians; it was not a game that could be resolved by academics or theorists. At times in my jesting mind I thought the way to resolve this—because they are all looking at what had gone on in the past—was to have an accountant sit down and resolve it. Each thought they had not got the best deal they should have over the years and the precise economic facts did not coincide. There were certain prescribed lax memories on certain subjects and very good memories on others and yet historical myths that might have been put off. I thought at times that only a group of accountants could resolve this problem.

One problem we had that is ongoing with the present debate was the subject of communications, which is on page 23 of our report. On that subject, few members had any knowledge of the ramifications of the communications industry today, in the political area and in our own perspective of what we can see is taking place in this debate. I am sure, if we were to look back at the communications system that was in place in 1867, we would see how slow it was and how the constitutional debate and events preceding that took a considerable number of years. I am sure the time frame was conditional upon the mode and method of communications at that time, which were slow.

8:20 p.m.

Today we have instantaneous communications. As we were trying to put together suggestions and writing the report, and possibly statutes, the events were probably outstripping what we could put in words. This is because of the mechanical and electronic advancements they have seen made with satellites, TVs, and computers.

Without giving them too big a plug, I looked at the *Globe and Mail*, which calls itself the national newspaper. Before when you read it in another jurisdiction, it bore very little resemblance to a national newspaper, and we had heard so often about central Ontario and how central Ontario regards itself as being in the number one position. It could not extend further than that. When you read the *Globe and Mail* in another jurisdiction and compared it to the local newspapers there was a vast difference.

Today, the *Globe and Mail* is now attempting to be, by the use of the satellites and the communications industry, a national newspaper. They fire the printed material through an electronic system and produce their paper elsewhere. The communications industry today, all of it, is advancing in technical aspects so much faster than we can even comprehend. As we were finishing printing, something new would take place.

The position of the Premier of this province, the positions of the Premiers of other provinces and the position of the Prime Minister, each and every one of those has been portrayed, exhibited, analysed, commented upon, stretched and divided. Every combination of ramifications of their speeches and their positions, how they have changed and how it can be perceived to be changed, has been presented to the individuals, those citizens we represent. All in all, it is a very difficult task that takes place in today's modern communications.

If one could only go back to the pace of 1867, one might resolve this problem we have. The dilemma we are in might be resolved with a slower and better pace. We might come out with some better solutions than what we have today where we have a combination of three or four areas—the Parliament of Britain, the Parliament of Canada and the different legislation—discussing the same problem all at once. Some are leading, some are following and some are going off in different directions. We cannot all stay together and sing from the same hymn book. At times, it would be interesting if we could sing the same hymn from that hymn book, but that is a difficult task.

I hope that what we have done here will assist in some way, and I am sure it will, the debate that is ongoing at present. If it assists our Premier and those people who will be attending the conferences in the future in Ottawa and the present debate that is ongoing about that constitution, it will be worthwhile. If it assists that constitutional debate in any little way, any small way, any small denomination, and resolves some of the problems we have, if it does only that in such a small way, I think this committee and the members of this committee will have aided with that very difficult task.

I would hope that the committee, as it has set for itself even greater tasks, might be an ongoing situation. If they resolve the first little bit, and since we are unfolding and developing, we will presently need this ongoing discussion and ongoing reform to accommodate our people in this and other provinces to present themselves fully in the future as they see what they want and as their desires come up.

I end my discussion on this topic at this time and I compliment all the individuals, including our chairman, who assisted in putting this document together. It was not an easy task at times. We all had different positions, some of them more or less down the centre of the spectrum and some on the outside edges of that spectrum of thoughts and extremes both politically and constitutionally speaking. We covered a lot of territory in the geographic land. We covered a lot of territory in the legal perspective of constitutional debate. I think from it we have added to that constitutional debate in a very positive way and in a way we can say to ourselves, "We did our job, and we met our task at this particular time."

Mr. Sweeney: Mr. Speaker, it is indeed a pleasure to have the opportunity to participate in this debate tonight, particularly after having had the very considerable pleasure of participating in the committee over a three-month period. It was a pleasure because of the depth of personal learning that took place. It was a pleasure because of the quality of the people with whom I had the privilege to work.

I particularly want to pay attention to our chairman. I think the simplest way to describe him is as a man of grace. That term is often used to describe a lady, and I want to be very careful when I use it towards our chairman. What I mean to indicate is the very graceful, fair and just way that he deliberated over and headed the discussions, here in this House and as we moved across



the country from place to place and from province to province. I was also extremely impressed by the openness and the non-partisan position that our chairman took on every single issue without any exception. For that, I want to say thank you to our chairman.

I also want to say thank you to a most excellent staff, to Smirle Forsyth and Franco Carrozza for shepherding us around from time to time and having to make innumerable phone calls. I think even they have lost track of the number of phone calls that had to be made from one end of this country to the other and the number of requests we made of them.

I wish to thank Linda Grayson for so many things. There was one thing in particular which we came to recognize; it was her inimitable style of writing. There were a number of times when, quite frankly, we were stuck in terms of how to express something. Linda found a way out of it.

I also want to thank Kathleen Hall and Mary Beth Currie for their most excellent research efforts, for the way they could in a matter of hours, not days, pull together material that we needed so very much in order to take the next step. They never once let us down. As a matter of fact, it was more often we who let them down by not being able to communicate in plain, sensible English exactly what it was that we wanted.

I notice that our reporter, Pat Girouard, is with us tonight. I was just remarking a little while ago it is full circle. She joined us most of the way and frequently after the important discussions her plain, good common sense often gave us a little bit of direction when she would come up to one or the other of us and say, "Let us think that one over again." It was very pleasant to have Pat with us in many ways, but I particularly appreciated that common sense. I hope I have not forgotten anyone because I certainly would not want to. We had an excellent staff.

As someone who had been involved in the educational system of this province for quite a number of years, quite frankly I thought I knew a great deal more about the constitutional background of this country than what I discovered I knew. That is what I meant a few minutes ago when I indicated it was a very personal learning experience. I wish to thank my colleagues on the committee and in the Legislature for providing me with that opportunity.

8:30 p.m.

I was also one who frequently questioned the value of members of this Legislature

travelling outside the confines of this building and outside the confines of the province. I often questioned the value of that. After having had the opportunity to serve on this committee and recognizing the particular nature of this committee, I must say, it was a most invaluable experience. Our travelling was not that much. I think it totalled about two or two and a half weeks out of almost three months.

I came to recognize the difference between just reading what others had written in terms of their position and then having the opportunity to meet them face to face to say to them, "What did you mean by that?" or to have the opportunity to say to them, "This is what we meant" when we said or wrote something or whatever the case may be. So often it happened that we learned we had misinterpreted or misunderstood what the other had intended.

For a committee trying to deal with a problem like this one, it is absolutely vital to get out and meet face to face other Canadians both inside and outside the legislatures across this country and have the opportunity to speak to them person to person about these issues. I certainly came back from our travels a much wiser man than when I left.

My colleagues who have spoken before have indicated the different way in which we were received across this country. I had the same experience. For example, I know before we started out there was some intimation that there were places across Canada that did not hold the province and residents of Ontario in the highest regard. I am not saying they disliked us in a hostile sense. What very much came across was that we were the focal point or flashpoint for a great deal of their hostility in terms of their place in this country. As my colleagues have pointed out before, we felt it most strongly when we got to Alberta. We felt it again in Newfoundland and a touch less when we got to Quebec.

I do not want to appear to use unduly strong language but, quite frankly, I was shaken as an Ontarian and as a Canadian at the depth of the feeling. Initially, I must admit I took it very personally and I was somewhat offended by it. But the more contact I had, the more I began at least to understand why they felt the way they did. I cannot say I agree. I think in a number of cases we from Ontario are being unfairly used as the focal point for the hostility of a lot of other peoples across this country.

I do not know what we can do about that, but that is the sense I have.

But having had the experience of actually meeting these people face to face, at least I came away with a clear understanding of why they felt the way they did. If I can share with you, Mr. Speaker, a little story that was told to us in the Yukon, perhaps it might highlight it. We were told of their concern about not having the status of a province and of the way in which they felt they were being used by the rest of the country.

One member of their assembly said to us: "When a mine is developed in our territory, what happens? First of all, they bring all the skilled workers in from Vancouver. Then they ship all the minerals to Japan. All the profits go to Bay Street in Toronto, the taxes go to Ottawa and we are left with a hole in the ground. On top of that, to add insult to injury, sometimes they make us fill up the hole."

When we first heard it, some of us chuckled a little bit under our breath because it had a comical side to it. As we thought about it more, we began to appreciate the message that was behind that. I think it was a very effective way of pointing out to us from Ontario: "Hey, we have some feelings out here. We are not prepared to sit back and allow that to continue." It was important for us to have that experience.

There has been a great deal of discussion about the relevancy of our committee. I want to say, as one member of this committee, I am proud to have my name on this report. It is not, as my colleagues from all sides of the House have indicated, a perfect document. It is an exercise in consensus building.

I, along with a number of my colleagues, did not agree with every statement in here. I did not agree with all the recommendations we finally printed in this book. But it was an effort at building a consensus, and we were successful. We were successful in getting a consensus except for one point—in my judgement anyway.

I think this is a model we can offer quite freely and quite openly, and with a certain sense of pride, to our fellow Canadians. When a group of people with different political philosophies, from different economic backgrounds representing a broad range of people across this province, from the north and south, can come to this kind of consensus, then it is possible for others to do it. It is in that sense that I am quite proud of what we accomplished.

It was inevitable, almost from the start, that we were not going to come up with all the answers. We were not even going to come up with most of the answers. But I think we learned to ask the right questions, and that was a valuable learning experience in itself. There are in this Legislature now 16 more people who have a deeper sense of understanding of what the important questions are and have made at least a beginning in finding the answers to those questions.

I indicated a few minutes ago there was only one area where in my judgement we really did not get a consensus. That is in looking at the bilingual or dual nature of this country. Unfortunately, that was the one issue, right up until the very last day, on which they could not seem to arrive at a consensus.

That was unfortunate because over and over again in our deliberations, the inherent and unique duality of this country came up. When we were talking about the Senate and what the Senate should be able to do for the country, the duality of the country was a point of view. When we talked about the Supreme Court, we made reference to the duality of the country. When we talked about communications, we spoke of the duality of this country. When we talked about family law, we recognized the duality of this country. Over and over again, when we talked about the amending formula and about the whole concept or the whole principle of patriation, we recognized the duality of this country.

I am more impressed than ever with the essential, unique and significant duality of this country. However we end up with a constitutional document, it must be one that recognizes that.

I was, quite frankly, disappointed that we could not agree in this document on a reference to the bilingual nature of Ontario. If duality means anything, it means a recognition that we have a significant population in this province representing the French-speaking Canadians of our country. My understanding is that there are more French-speaking Canadians in Ontario—outside of Quebec—than there are in all the other provinces put together. If that is not exactly right, it is fairly close to it.

So it is absolutely essential, if we are going to have the dual nature of the country accepted and enshrined in our constitutional agreement, that we have to show some leadership and some guidance and, yes, some vision in this province.

I know the political ramifications of that. I know the political difficulties in the province.



I don't underestimate for a moment the political difficulties that many of my colleagues in this Legislature would have when they have to go back to their own ridings. As a matter of fact, I come from a riding myself where less than two percent of the population is French-speaking. I recognize that problem. I recognize a number of my colleagues will have it. But nevertheless, it is one of those examples in leadership that the members of this Legislature are simply going to have to face up to. It is unfortunate that that was one of the areas that we could not come to consensus on.

8:40 p.m.

There were a couple of others that I personally disagreed with my colleagues on and I would like to refer to them briefly. I believe that we should have a much stronger statement in our document about the free movement of people, goods and services across this country. It seems to me that if Canada as a country, a unity, has any meaning whatsoever, if the concept of being a Canadian citizen has any meaning whatsoever, surely it means that any Canadian has the right to go any place in this country, to work any place in this country, to invest any place in this country, to start a business any place in this country, to compete any place in this country.

If we are going to start putting up barriers, for whatever reason, then I think we diminish the concept of the unity of Canada. I believe we diminish the concept of Canadianism and the concept of Canadian citizenship, at least as I understand it. That was one of the areas where my colleagues and I did not completely agree and where I think in our document we have a statement that is too soft. As time goes on perhaps we can firm that one up.

Another area was with respect to offshore resources. The majority of the members of our committee came to the conclusion that offshore resources should be treated in exactly the same way as onshore resources. In particular we were speaking to the claim of Newfoundland that they would have full control of the offshore resources under the seabed out to 200 miles, which would be the international limit, and I believe out to almost 450 miles, which would be the limit of the continental shelf.

Quite frankly, that was one of the areas in which I disagreed with my colleagues. I do not believe that should be the case. I believe the offshore resources should belong to the entire country. I believe the province that is closest to the resources should have a sig-

nificant proportion of those. I do not doubt that whatsoever. But I do not agree with our finding in the report that they should be solely the property of one province. They should not be solely owned; they should not be—except for a few exemptions we had in our report—the sole jurisdiction of one province. But, once again, in the sense of consensus, we wrote a report that was the best effort at which we could get consensus.

I want to speak very briefly about the decisions that have been made by our federal government. Those of us who supported this constitutional reform report would pretty well have to go along with them. We say very clearly in our report that we believe patriation should take place. We say very clearly in our report that there should be an amending formula, preferably one that is similar to the Victoria charter. We say very clearly in our report that there should be a charter of rights, including linguistic rights. We say very clearly in our report that the provincial governments should have a stronger say in resource ownership. All of those things are what the federal government of this country is incorporating in the message that I hope will be sent to Britain.

It is very difficult for me, as one member of the committee, to see on the one hand how we can subscribe to this report and at the same time not subscribe essentially to what is taking place in our country at the present time.

The reference to the Senate in our report I think is important because there were two problems we tried to address. The first one was the need for the provincial governments to have a greater input, a greater sense of participation, at the central level. On the basis of our recommendations as to how the Senate should be formed, that would happen. The second major problem we attempted to address was the possibility of having some proportional representation in place at the central government level. We know from time to time how federal elections very much distort the popular vote across this country when compared with the actual number of seats obtained by various political parties in the House of Commons.

Therefore, when we spoke of the Senate and the restructuring of the Senate, we spoke to that as well. I want to draw particular attention to that, because it was in this kind of a spirit, this spirit of truly trying to discover what were the real questions, the issues and the problems and then trying to find some way in which we could at least

begin to speak to them, that we formed our report.

I want to point out that we have the issue of the native people in this country in a separate part of our report. I want to make it very clear to anyone who might read the report and misunderstand that we did not make it a separate part of the report because we wanted to segregate the native people from the mainstream of the population of Canada. We made it a separate part because we wanted to be absolutely sure that the particular concerns and needs of our native people were highlighted in a specific way.

As one member of the committee, I want to point out—how shall I say it?—the depth of concern, the depth almost of shame that I felt, as one Canadian, as I came into contact more and more with the problems faced by our native people—shame perhaps when I look at the easy, hypocritical way that we as Canadians point our finger at other countries. We point our finger at certain European, African and Asiatic countries and say, "Isn't it terrible that they teach some of their people in this particular way?" It is certainly obvious to me, and I think to the majority of the members of our committee, that the way in which the native people of Canada have been treated by both the federal government and the various provincial governments is nothing we can be very proud of. We wanted to highlight in a most particular and most specific way that we recognize those concerns, and we made just a very small beginning in recommending how those concerns should be addressed.

As we went on, I think many of us in the committee began to discover things about ourselves. I, for one, discovered that I am very much a centralist; I have a sense of this country which is much greater than the combination of just its parts. I discovered that I am very much a nationalist and that I want desperately—and I use that word deliberately—my country to be fully and completely in control of its own destiny. Quite frankly, I am one Canadian who is not prepared any longer to see the constitution of our country, the contractual arrangement under which our people live together, in the hands of another government.

There has been some speculation recently along these lines: "What is all the rush? Why all of a sudden? Why overnight? Why in a few weeks do we have to solve this constitutional problem?" One of the things I discovered that I had not been as aware of is that this discussion, this debate and this attempt at reconciliation have been going

on for more than 50 years. It goes right back to 1927 in this country. On 10 different occasions the federal and provincial governments of this country have attempted to negotiate a settlement. On each and every one of those occasions, for different reasons and from different parts of the country, inevitably the negotiations failed.

I think one of the things we realized as we travelled across the country was that the negotiations inevitably are going to fail; that each part of this country has a sense of its own importance and an unwillingness to give up certain things. Therefore, we have simply come to the point where we have to say, "Enough is enough; let's get on with the job." It is my very strong sense of nationalism—I hope a good sense of nationalism rather than a misplaced one—that leads me to want to bring it home, to patriate our constitution.

Finally, may I say that I discovered and I have tried to transmit to some of my constituents the sense that our constitution is not a dry document sitting up on a shelf somewhere gathering dust. It is very much the contract by which people in Canada live together and agree to live together. It is very much a document that affects our daily lives with respect to family law, with respect to communications, with respect to mobility rights and with respect to our courts. All of these things inherently affect us on an almost daily basis. If there is one thing that the members of this Legislature can transmit to their constituents around this province, it is the vital human daily importance of that constitutional document.

8:50 p.m.

**Mr. R. F. Johnston:** Mr. Speaker, the constitution for me was a dry document. The process we went through often was very dry, but the emotion I built by the end of it left me full of anger and with a sense of melancholy about the process we have been going through and our country is going through.

I wanted to start my remarks tonight by reading from a poem by Dennis Lee called *Civil Elegies*. It was written in 1968 prophesying the end of Canada if we do not take action. It speaks mostly about our colonial mentality, but many parts of it, I think, speak to the growth I went through in the process we have gone through this summer:

To be our own men  
In dread to live the land  
Our own harsh country beloved  
The prairie, the foothills  
And for me it is linked by rapids  
by stream-fed lake



Threading north to the terminal vistas  
 of black spruce in a bitter cherished land  
 It is a farm after farm in the waste  
 of the continental outcrop  
 For me it is shield.

I was born in the shield area. I lived most of my lifetime in the foothills of the shield. There is something about that kind of country that gives one, I think, a sense of the spiritual that Dennis Lee speaks about a great deal in his poem.

I have never understood why, as a nation, we have not been able to grasp our identity. We are northern, we are vast, we are separated and regional, we are landed immigrants and invaders in a lot of ways and we are a country with an historic cultural quality. That has always been a very intrinsic part of my being and it has been strongly linked with the land that I grew up in.

I sense that one of the things Dennis Lee is speaking about is how we as a nation have sold out our nationhood, our resources and our guts to achieve a standard of living, and in so doing somehow missed nationhood and somehow maintained ourselves as colonials. Now that we are at this crisis in our history, I have a terrible feeling that we will not have the political courage or the integrity of leadership to keep our country intact.

Therefore, I speak tonight reading an elegy. It is a premature elegy, I admit, but I have a great sense of anger that our leaders in this country have not taken their duty seriously. I hope the members of the committee will forgive me for not going through the collegial listing of all the members, how well they have done, our splendid chairman and the other staff people who supported us so well. Suffice it to say that sometimes a few good gestures between asphalt and the sky come about, and I think we tried. We had a few good gestures. The last part of a line from the same poem is, "They might have been adequate once." I have a sense they are not adequate now at all, and I regret that very much.

I think we failed because we were overtaken by time, because we were a reluctant child of this Legislature. We were born far too late. We have not lived our own life. We have been an adjunct to the lives of the 11 men who, in many ways, control this country. Finally, in my view, we were only an appendage, just a limb, and we did not have a mind of our own. That came up in two of the most vital areas that we should have made major decisions on and failed to.

In my view, those 11 men, as the member for Riverdale (Mr. Renwick) said the other day, were too parochial; their minds have been set on elections, on polls, on elusive majorities, and they have not understood what their job was. They failed us desperately. Even now, as we are reading our report into this Legislature, we have been bypassed by time again and we are finding unilateral action being taken at the federal level. I do not disagree with parts of it, but I just feel it is going too far and I feel it is destroying the Confederation nature of our country. I am very disturbed by it.

I believe our comments on patriation which can be found in that document were right. It should not have been brought back with a whole pile of trimmings. It should have been brought back with patriation and an amending formula if we could do it; if not, then with everything else preserved. Adding to that package—and all our federal people are involved in this process—is going to cause incredible problems for the Parliament of Britain on a constitutional basis. We have all received letters indicating what is going on there.

I think our amending formula showed some creativity. I disagree with the member for Kitchener-Wilmot; I think our economic union statement was an acceptance of the reality of Canada and was very useful in the debate across the country. All our meetings reflected a desire to achieve consensus, to find a meeting place for the divergent ideas on our nation and our aspirations for its future. I wish the same thing could be said for the leaders of this country, but I do not believe it can be.

If we have failed in our mandate—that mandate did not accept the status quo, and I believe we have failed in that; I believe we failed also in trying to take into account the aspirations of all Canadians—I believe we have to place part of the blame not on ourselves but on the other agenda that was going on and a great deal of the blame on the Premier of this province (Mr. Davis).

In my view the two most serious areas of failure by our committee were the matters of natural resources and language rights. They are the two areas in which Ontario could have moved and done something useful, but we did not manage to do that. I place a lot of the blame for our not getting around to doing anything major on resources on the spectre of our Premier sitting in our committee during the last few weeks of our deliberations.

I have an image of the Premier standing in this House in the last couple of days, wag-

ging his finger at the leaders of the opposition parties, saying we want world price. Somebody raised an issue that we all talked about in that committee, that Ontario has to realize there has to be some movement there. That was all that was suggested. Instead of responding to that in a statesmanlike fashion, our Premier started to play politics with the two opposition parties. That is not what we should be getting at this point.

That was hanging over our heads in the last two weeks. It was hanging over the heads of the member for Armourdale (Mr. McCaffrey) and anybody else who wanted to look at this thing realistically. That was unfair. That is why we had an amendment to our position on resources added in the very last minutes of our deliberations. After we had said that "long-term guarantees of supply are critical to Ontario and require acceptance of higher prices," all of a sudden we had this thing tacked on which moves us right away from it: "The rate of price increase, however, must be tied to an appropriate agreement on the fair distribution of energy revenues in a fashion that respect both producers' rights and the broad economic interests of all Canadians." That just watered the whole damned thing down; there was no movement at all. I think I know where that comes from. I do not think it was just from the feelings of the member for York West (Mr. Leluk); it was from a pressure that was on us all.

I want to speak more specifically about the language rights issue, because it is in that area that I am most angry with our Premier. I wish he were here tonight. I do not know why he is not here tonight or why this House is not filled, because there should be a passionate debate. It should not be just a coming back in again with a little report that may be shelved forever or allow us to do another 100 years of work as the company law committee has done. That is not what we are about. This is our country we are talking about, and the Premier should be here and the benches on both sides should be filled.

When I saw what the Premier was trying to do the other day in his estimates, I was furious. He started to try to play off section 133 on which all members of the committee spent so much time and hard debate in trying to hammer out a consensus in good faith. He started playing politics, trying to play off the member for Riverdale (Mr. Renwick) against the member for Ottawa Centre (Mr. Cassidy), saying, "The member for Riverdale is not in favour of it and the member for Ottawa Centre is."

It struck me what was going on. He was going back to 1979, to the separate schools issue, trying to touch a chord of dissension in this province at a time when we do not need that. That is no role for a Premier of this province.

Those old racial feuds we have had in this province over the last century should be squashed; they should not be added to. The Premier of Ontario is the first Premier, the senior Premier in this country, and to try to make those kinds of distinctions—specious at best—is unworthy of the leader of this province.

9 p.m.

We don't need an alley fighter. We need a statesman and we need him desperately at this point. His whole action throughout this whole debate from the national scene has been one of smiling, self-sufficient, happy Ontario that does not want to move from the status quo. He has not accepted the mandate that we all accepted in that resolution here. Now he is coming back, knowing there is an election in the next little while, and he is going to try to use those two issues as politics in this province for his purposes to get re-elected. I say that is shameful.

We struggled with section 133. I am proud of the part I had in getting us to some sort of consensus that would actually have it written into our report so that members could see what the heck 133 said and that could also open up the matter of looking at it again in the future because it is foolhardy for us to abandon it.

**Mr. Leluk:** We said we are going to look at it.

**Mr. R. F. Johnston:** Yes. I am glad we did that and I am pleased we got it in, but it was a great fight to get it in. The member won't deny that. People didn't want the wording in.

I believe very firmly in the regionalism and the duality of this country. I believe it is part of the strength of this country and it must be maintained. If French-Canadians have to look at Quebec as the only place where they can really be at home, where they can really be *chez eux*, we are in big trouble because they are going to choose an independent Quebec and our country's days are numbered.

It is up to Manitoba, New Brunswick and Ontario to take action to provide all the rights of citizenship to our French citizens in our provinces. It is our failure to respond to that challenge that will hasten the demise of this country. Ontario has a very special role to play in this because, as the member



for Kitchener-Wilmot mentioned, we have the largest single number of French-speaking people in this continent outside of Quebec, and we have a long-standing history of having mistreated them, which we have only recently started to undo. At this crucial time in our history, it was the time for action, and we have missed that.

I commend to anybody in this assembly this document, The Canadian Constitution and the Rights of Francophones. If one wants to read the history of Canada from the French view, it is vitally important. In 1912, we passed an Education Act in this province which basically stopped the teaching of French and we didn't rescind that properly until 1968. When that was brought up, it went to the federal House, much as our problems now are trying to be dealt with in the federal House. There is a danger, in my view, that section 133 will be dealt with in the federal House.

Ernest Lapointe tried to bring in a bill, which I will read, because the parallels between that time, which was a time of war, and our time, which is a time of national peril, are very obvious.

The resolution read: "The House, especially in these times of sacrifice and universal anxiety, where all our efforts should be united to bring armed victory, fully acknowledging the principle of provincial rights and the necessity for each child to receive a complete English education, with all due respect ask the Legislative Assembly of Ontario to see to it that the privilege extended to children of French origin not be interfered with as far as their education in their mother tongue is concerned."

After three days of debate it was defeated. There was a mild bit of action taken in 1927 in this province, but not until 1968 was it actually really dealt with. In the last 12 years there has been a lot done. I commend the government on the things that have been done in terms of the schools, the courts and government services, but it has all been done with a kind of reluctance, a back-door attitude and with a lack of pride in the accomplishment. That seems to me to be a lack of willingness to talk about the founding premise underneath which we are going to give those rights. It must be that the government believes in those rights.

Giving rights to one group does not take them away from another. Allowing a French child to learn French is not shoving French down an English child's throat. This government should be proud to stand up and say that. For some reason, it wants to back away from that sort of thing.

The failures of this government are so symbolic. They reflect a fear of backlash and a lack of faith in the underlying principles. They are basically Quisling in nature. Take two things that have happened recently. "Ontario Place opens Ontario North Now—a wonderful new exhibition." The Ontario northland was opened by francophones essentially and there is not one word of French in that pavilion. If one believes in French rights one does not give me the reasons the Premier gave me for not putting French into that pavilion—the lack of time, lack of space and lack of money. It goes there automatically if one has respect for what that culture has done within this community.

Let us look at what they have done with the French language advisory committees. The member for Ottawa East (Mr. Roy), the member for Hamilton Mountain (Mr. Charlton) and myself raised the question about a full enumeration. If one is going to give to French-speaking people of this province the right to elect to these committees, one has to allow them to identify their voters and give them full enumeration. Instead, what we got is a runaround for a year and a half then a half measure. In the city of Toronto it produced 1,500 names of people who are going to be able to vote for their representatives on the FLACs.

That is a major insult. It is not enough that the Premier does not get up and answer the question directly, but he evades the question whether or not he is going to make sure that next year the question is put on as, "Are you French-speaking on the enumeration list?" This is what was asked for and it is simple, "Êtes-vous d'expression française?" That is all that needs to be put on, that and a following question, "Do you want to be an elector contributor?"

That is what should have been done in the first place. He would not even commit himself to that, knowing what a fiasco had been perpetrated. How does that speak to the French-speaking people of Ontario? It tells them they are second class. It is just that straightforward. If one accepts the principle that they should be elected to those boards then surely one has to give them their full electoral rights.

I want to deal with what the Premier is going to try to ram down our throats over here—that is that somehow we want institutionalized bilingualism and he does not. I want to talk about the distinction between ourselves and himself. I want to go through section 133 because I have only a couple of

minutes before I concede my time. These are the things he says we are being so outrageous about:

"Either English or French language may be used by any person in the debates of our House." We can already do that. I myself, just being a student of French, did that symbolically as we opened our debate last spring. We have been able to do that. We have that now. It is not a change in section 133. "Both of those languages shall be used in respect of records and journals of the House." As I understand it we are already in the process of doing that and those will be sent out on request. We are already part way there.

Nobody was arguing with the nature of needing to phase it in. Everybody in the committee understood that might be necessary over a number of years. The same thing goes for the statutes to be printed and published in both languages. It is my understanding that since 1978 that is being done here. It is a slow process. We all understand it is a slow process, but it is being done. Why does the Premier want to dissociate himself from section 133?

The only other matter in section 133 has to do with the courts. In the last number of years we have made great progress in the courts. Since 1969 it is possible to have criminal actions dealt with in the courts. I think I have a list of 10 different designated court areas in this province which are now available for provincial family court, for offences under the provincial court, for small claims. These are in Algoma, Cochrane, Essex, Niagara South, Nipissing, Ottawa-Carleton, Prescott-Russell, Stormont-Dundas-Glengarry, Sudbury and Timiskaming. We are already moving in that direction. The only kinds of things we do not have at the moment are things to do with the preliminary inquiries, bail hearings, special remedies—whatever that is, I am not really clear on that, but my lawyer friends can explain that to me—and some of the other higher courts.

We are at a crisis point in our history, and the Premier of this province wants to claim we are shoving institutional bilingualism down the throats of Ontarians because we want to go a tiny half measure farther than he has already gone. What better time is there to take some action? This is the time to move. This is the time to make the statements. This is the time to come out of the closet. He is not going to run into opposition over here if he comes forward. He will run into praise. He is not going to run into opposition from the French-speaking people in this province, he will run into praise.

9:10 p.m.

I am worried that he is going to start using that bogymen around the province on us. When he is in a French-speaking community in the north he is going to talk about all the services they are doing, but when he is in southwestern Ontario they are going to get some of that separation, that division of our community. That is no role for the Premier to be taking in this province. We are almost of one mind as to where we should be going. He should just come up front with it. There is no reason not to.

I got a letter today—one of those letters we all get, because I know the chairman was talking about the phone call he got—from a woman who said to me: "Trudeau is trying to shove French down our throats. Soon you will not be able to go to court and speak in English." That is what is in her letter. I am not going to pander back to that in a partisan way and attack Mr. Trudeau. I am going to reply that is not the fact and lay out what the facts are. It is not going to gain me a vote. You are darn right it is not going to gain me a vote, but it is my duty to do it. If we really believe in this country, then one has to stand up to that sort of thing and not in a backhanded kind of way.

I am speaking with more of the anger than the melancholy, but I do not believe our federal and provincial heads have responded to the challenge that was put before them. I am terribly afraid of what is going to happen with all the unilateral action that is happening federally and how that conflicts with our traditions in this country. I am worried about the future, but I have what Dennis Lee called "a bloody-minded reverence for my country" and a long will to be in this country and to have this country stay Canada. I will keep yelling and shouting, as I have been tonight, until we darn well get our country to face up to what it should be and accept itself for the great place it is. Hopefully our leaders will come along too.

**Mr. Leluk:** Mr. Speaker, I am pleased to have this opportunity to join in this debate.

**Mr. Lawlor:** The member has been on his feet all day.

**Mr. Leluk:** The member for Lakeshore noticed. It is a great day, maybe my last. One never knows.

**Mr. Speaker,** at the outset I would like to commend the committee chairman, the member for Humber, on an excellent job that he did with his committee over the summer months. Also, I would like to express my personal appreciation to the committee staff,



Dr. Linda Grayson, senior research officer and our researchers, Kathleen Hall and Mary Beth Currie, Smirle Forsyth, our clerk and his assistant, Franco Carrozza for their valuable assistance.

I believe despite all the esoteric knowledge of the professional constitutional mandarins, the real solution to our problems of national unity ultimately lies in the goodwill of Canadians right across this great land of ours. Perhaps because we members spend so much time in the political fish-bowl we are a bit jaded when it comes to the expression of deepfelt cherished emotions like love of country.

But most Canadians that I know, in their own reserved and almost quiet way, feel strongly about Canada. They are profoundly optimistic about the potential of their country and rightly proud of its past achievements. At the same time, however, they are confused by the present constitutional impasse and more than a little resentful of the posturing and politicking that accompanies federal-provincial squabbles. They simply do not understand why the politicians seem intent on frittering away their birthright.

Politicians believe that Canadians could find it within themselves to solve most of our problems, and certainly the ordinary citizen often seems more willing to work positively to deal with our national dilemma than some of our national or provincial leaders.

I can sympathize with this attitude. Before I was appointed to sit on the constitutional reform committee I, too, was somewhat baffled by the complexities and had impatience with the apparent pettiness of much of the constitutional debate. Having been a member of the committee, I am now a little wiser, I hope. I now have a better feeling for the strains and divisions within Canada.

**Mr. Lawlor:** The member even looks wiser.

**Mr. Leluk:** I thank the member for Lakeshore.

Travelling across Canada this summer, I saw for myself the deep-rooted feelings that have arisen in every region. I heard for myself the anger and bitterness as some Canadians accused other Canadians of selfishness.

At the same time, however, the meetings we had with other provincial legislators opened a line of communications that had never really been used before to help dispel regional frustrations. I believe our meetings helped to clarify our thoughts and broaden our understanding of constitutional issues and may even have helped to encourage a posi-

tive attitude towards Ontario among other jurisdictions.

I believe personal contact and ongoing discussions among legislators are essential if a consensus on constitutional reform is to be achieved. I think there should be more of these meetings between provincial legislators in the future.

By now in this debate, everyone knows that some of the very strong differences of opinion that are dividing Canadians also appeared in our committee. This was only to be expected, and I suppose a good argument around strongly held principles can be a therapeutic exercise. But just as we all know that continued constitutional haggling will do nothing to reinforce Canadian unity, so too all of us on the committee knew that we should strive to reach some sort of consensus in our report. I want to stress that this is what we have done. Our report is the best consensus that we as a committee could reach at this particular time. There are no dissenting reports, and this is the greatest value of our report as far as I am concerned.

Unlike the first ministers this past September, we were able to produce a quality document, which everyone signed, within a constrained time frame of some 11 weeks.

At the same time, all of us on the committee believe that our work is not really finished and that we have just begun a continuing process. As I mentioned before, I think the committee can be seen as a previously unused line of communication between Canadians. I feel it is important that this Legislature allow the committee to finish what it has begun, and that is an examination of many other constitutional subjects of equal and, in some cases, greater concern that require further study. These we have documented on page 34 of the report.

Some of my colleagues on the committee have already spoken at length on the report. The chairman, I thought, gave an excellent speech last Thursday evening in this assembly and covered the major topics in the report. I do not intend to be repetitive and would like to limit my discussions to the two issues of language rights and natural resources and trade.

As far as I am concerned, this province has every right to be proud of the French-language services it provides. Since 1974, we have guaranteed French-language education rights where numbers warrant, through the Education Act. This means that today more than 100,000 students are receiving their education in French. Since December 31, 1979, anyone charged under the Criminal

Code of Canada has the right to be heard by a French-speaking judge and, where appropriate, jury. This is something our Attorney General (Mr. McMurtry) has long prodded the federal government to do. Members will recall that we amended the Juries Act and the Judicature Act in May 1978 to make these changes possible.

In other words, this government is steadily providing more and more French-language services in this province. We have achieved this without bitterness and huge expense of a federal-style official bilingualism policy. I might add at this point that the Prime Minister of Canada seems to have accepted the validity of the Ontario government's opposition to the official bilingualism policy when he adopted the "where numbers warrant" clause in section 23 of his charter of rights and freedoms.

**Mr. Roy:** Your comparisons are totally wrong.

**Mr. Leluk:** That is my friend's opinion. Thus Mr. Trudeau's resolution and our committee report are almost identical in their handling of the minority language education rights issue.

Our report states that the committee was unable to reach a consensus on the question which deals with the possibility of applying to Ontario obligations already incumbent upon Quebec and Manitoba by virtue of section 133 of the British North America Act or section 23 of the Manitoba Act.

9:20 p.m.

I want so say at this point that although there was no consensus, all members of our committee indicated that they wished to study this matter further before making a recommendation.

We have very little idea at this time of what the ramifications of official bilingualism might be in terms of cost and logistics. Certainly we have the horrible example of the implementation of the federal bilingualism policy to deter us from dashing in where the Prime Minister of Canada now fears to tread.

**Mr. Roy:** You don't know what you are talking about.

**Mr. Leluk:** Sure I do. I also support minority language rights for other ethnic groups and our native peoples. The report leaves the provincial governments free to determine the timing, the degree and the method of implementing these rights. As do other committee members, I believe that we must seek to enhance the ability of each ethnic group in this province to enjoy and

safeguard its heritage for succeeding generations.

I was very disappointed that the Prime Minister of Canada's constitutional package did not address itself to this matter and did not provide for an entrenchment of cultural rights in the Canadian charter of rights and freedoms as it did for minority language education rights. When he appeared before our committee former Premier John Roberts said, "We must recognize the historic duality and the present diversity in Canada." We are a multicultural society and the Prime Minister of Canada has failed to recognize this fact.

At the same time, I support Ontario's current heritage language programs and our English as a second language program. Members will know that the province supports some 44 different languages in our heritage language programs with over 75,000 students. These are programs which this government has introduced without being prodded into action by any sort of constitutional requirement. That is how it should be. We in this Legislature are entirely capable of deciding what heritage language or English as a second language programs the government should deliver.

I would like to turn to the other aspect of the committee's work that aroused the most controversy, and that is the question of natural resources and trade. It is fascinating to note how the natural resources question revolving particularly around energy pricing has now moved to the centre of the national stage. While our committee was formed just before the Quebec referendum with the threat of sovereignty-association dominating the headlines, now the price of oil and discussions of western alienation shake our national fabric.

At this point, as an aside, I would ask members to remember that last May everyone was talking about Quebec and sovereignty-association. Let us not forget that fact. Let us not forget also that in the referendum period Canadians from all across this land, and I include many in this Legislature, asked Quebecers to choose Canada. We asked them to bear with Confederation just a little longer because the changes they so ardently desired would soon be coming.

Well, choose Canada they resoundingly did and we now have the responsibility to meet Quebec's request for change. We must come through with the goods. For that reason alone, Mr. Trudeau's proposals for constitutional reform deserve very serious consideration. I believe it would be a national disaster if the aspirations of Quebec were lost



in the natural resources shuffle. Let us not forget that on May 19, the day before the referendum, none of us knew if our Canada would last much longer.

By now, all of us know that the previously separate questions of national unity, constitutional reform, natural resources, energy pricing and the federal budget are all part of the same larger question. It is the most difficult question of all.

What is our fundamental view of Canada? Is it a collection of 10 provinces loosely connected and each dedicated to developing itself in its own way? Or is it Canada as a nation, something greater than its 10 provincial components? From the very way I phrase the questions, members will know my answer.

My ancestors came to Canada, not Ontario. Canada was their hope and their future, not just one province. As I said a few minutes ago, I firmly believe this is how most Canadians feel about their country. Therefore, I stand four-square behind the Premier on the energy pricing question. So do all parties in this Legislature and, I suspect, most members of our committee.

It is evident, as our report states on page 20, that "the settlement of the pricing question and the subsequent issue of revenue sharing are crucial to the resolution of the constitutional question with respect to natural resources." It is on this point that the constitution, oil and the federal budget tie together. Again, our report notes that we need a pricing agreement that gives the producing provinces a fair return for their resources. It also respects the broad economic interests of all Canadians.

I do not reject any and all price increases. I also agree with the committee's report when it calls for provinces to own their natural resources. I have no argument there. But the essence of shared nationhood is that one group of Canadians should not get rich at the expense of another group of Canadians; and now that the price of energy is rising so fast, with no end in sight, this is exactly what I fear is happening.

Sharing wealth between the regions of Canada is one of the foundations of Confederation. We in this province have always shared the benefits of our industries, natural resources and farms with other Canadians. Equalization payments made with money largely contributed by Ontarians now run into literally billions of dollars. Very simply, we have shared. For years we paid higher oil prices to give western Canada an assured market for its oil and gas. We paid willingly.

The people of Canada gave, and still give, extremely generous incentives to western oil and gas producers under the federal Income Tax Act. In other words, we are still sharing.

We have always tried to give other Canadians some of the benefit of our wealth. I ask that people in other regions of the country recognize this fact. Certainly in the past the people of Alberta and other western provinces have always believed in the principle of sharing wealth with their fellow Canadians. I ask that they continue to see this principle for the vital test of nationhood that it has always been.

I support the Premier's position, because I believe that he speaks for the principle of sharing. So too does the federal government's new national energy program. I am sure the people of Alberta themselves will also pass the test of shared nationhood with flying colours.

Our report ends with a note entitled *The Task Ahead*. I will end these remarks on the same note. The constitutional committee has worked long and hard and well. As I said a few minutes ago, it has applied inspired common sense to Canada's constitutional debate. On the two trenchant issues of language rights and natural resources and trade, we need to do still more work. I think it is obvious that the only reason we got any sort of consensus on those two issues in the report is that we did not reach any final conclusions.

I will conclude by pointing out one last area of agreement between my opinion and the committee's report: The work of the select committee on constitutional reform should be continued.

**Mrs. Campbell:** Mr. Speaker, it is a pleasure for me to be able to participate in this debate. I too want to pay tribute to our staff. I do not want to single out any person in particular, but I suppose I alone owe a unique vote of thanks to Franco Carrozza in particular, who pushed me around the west in a wheelchair.

9:30 p.m.

That is not, however, in any way to denigrate the services of our clerk. And, of course, Linda Grayson was to me magnificent. How she ever brought order out of some of the confused debates in our committee I do not know, but she never lost her cool. She was always there. She was working overtime to try to keep abreast with us in our deliberations. She was really always ahead of us, but we did not know that, I do not think. To Mary Beth Currie and Kathleen Hall, I also wish to express my appreciation.

I would like to look to a couple of points which may have been overlooked, but were not overlooked certainly in the splendid introduction to this debate given by our very fine chairman of committee. I think one of the principles that perhaps we ought to look at for a moment in time is what we have referred to colloquially in the committee as the common market principle, which is really to be found in the Powers over the Economy section which appears at page 18 of this report. I think we should all understand in great depth what the committee has had to say about this common market principle because I think both the Premier of this province and the federal package have addressed it in a somewhat different way from the approach of the committee.

There is no doubt in my mind that there was not a single member of the committee who did not subscribe to the belief that it is a right of the citizenship of every citizen of this country to be able to move freely across the country to live, to work or for whatever purposes. After a good deal of debate, we came to the conclusion that these particular rights ought not to be entrenched, but ought to be rights which are dealt with in a consultative type of relationship. I will tell members why.

We looked to the people of Newfoundland. We spoke with their very fine Minister of Mines and Energy. He pointed out to us that there were areas in Newfoundland where they had 100 per cent unemployment. It seemed to us there ought to be some flexibility built into the system whereby Newfoundland could over a period, perhaps a short period of time, give some preferences to those of its own people, its provincial people, in order that they might improve their economic status. Every province does this in some form or another, even the great province of Ontario.

When one is letting contracts, one might receive a lower tender from Quebec, but we are prepared to give an edge to our companies in Ontario. I think we should all keep that in mind as we look at the problems of the other provinces.

In the northern part of Saskatchewan they have a commitment to improving the lot of their people, particularly the native people. I do not think any of us would intend that they should not have the right to address themselves to those peculiar problems over a short term.

We decided in our committee that rather than entrenching the rights, we should allow that degree of flexibility for discussion be-

tween the federal and provincial levels to try to address local problems.

One of the things I must speak to is the subject of language rights and the principle of section 133 of the British North America Act. I want the Premier to thoroughly understand that there was not a person on our committee who would have agreed to, or would have supported, the imposition by the federal government of that section on Ontario. However, it did seem to many of us that we—in a very honest and emotional period of our time in this House—made a pledge to the people of Quebec that we were not going to stay with the status quo. We were going to pay our tribute to those in Quebec who voted to remain in Canada. We must remember that they voted to remain in Canada with the very real sense of a commitment to change.

Some of the members who have spoken believe that what we have now is what the people of Quebec were seeking. I do not believe that is true. The people in Quebec were not overwhelmingly joyous at the thought of patriation or repatriation; they had other concerns. What those of us on the committee wanted to say was: "Let us move forward from our present position with pride and frankness. Let us answer those people in Quebec who have said to us as we met with them, 'How do you expect us to know what you are doing for the French in Ontario when you do not want the English in Ontario to know what you are doing?'"

What we are saying is let us stretch our minds and our spirits for once in our lives and let us meet the challenges of this time in Canada. Let us not slink around corners with what we will do about the francophones in Ontario. Let us stand proudly in our places stating this is what this government has done and we are prepared to move forward.

9:40 p.m.

I want it understood the incorporation of section 133 is not the institutionalizing of bilingualism in Ontario. If it were, the government has come part way, as has been pointed out by others. We can speak both languages in this House, those of us who have the capability. We can, legally, speak either language. Has that been institutionalizing bilingualism? Certainly not.

The steps we have taken, slow as they may have been, are welcomed by all of us on this side of the House. There is no criticism, except that we say let us keep the promises of our debate and let us move forward frankly. I do not think that is asking too much at this point in time.



I am sad that in an experience of many weeks, which I found to be really uplifting as each member honestly brought to the table a depth of concern and a sense of purpose that transcended all party lines, I think what I found almost tragic was that it was on this issue that we struck the party line.

We tried, in speaking with people across this province, to listen as well as to talk. I have to tell you, Mr. Speaker, meeting with the select committee in Halifax was an experience. We went there to discuss with them the fishery question. It was a learning process, at least for this member, knowing very little, really, about the ramifications of the fishery question. I like to think that if we had select committees right across this country we might really come closer to a consensus than we can under the procedures which preceded our committee.

Mention has been made of the task ahead. I would like to speak of just one item. The doctrine of concurrency is one which bothered us a great deal, and we tried to limit the application of that kind of a doctrine to those areas which were rather readily or easily handled. I would like to speak, of course, of the offshore resources. There, it is true, as my colleague has said, we came to the conclusion, on the matter of ownership, that of course there was no way that we could eliminate the federal government—nor did Newfoundland, in any event, want to eliminate the federal government—from a role when it came to responsibility for the environment, defence and international treaties. But we tried very hard to limit that type of concurrency to those rather easily recognized roles between the two levels of government.

We want to study it further. We think it is complex. We have not begun to scratch the surface of the burden ahead. We dealt simply with those matters that were occupying the first ministers for the period of their discussions, dialogue or whatever one wants to call it.

In closing, I would like to express my concern for the attitudes of people right across this province. Others have spoken of them. I would say the Yukon welcomed us with open arms. I had the very real feeling that it was not because we were all that popular as Ontarians, but rather that we were the first who ever burst into that silent sea talking about the constitution.

I will not go into my reaction to our reception in Alberta, save and except to say this: When I travel in Canada, I am not a Commonwealth parliamentarian; I am a Canadian.

**Mr. Di Santo:** Mr. Speaker, I am pleased to enter this debate tonight. Like the other members, I would like to pay tribute to our chairman for his patience and his open mind. Even though the committee operated in a fairly nonpartisan way, there were moments when agreement was difficult to reach, but the chairman, with his wisdom, brought us together to the conclusions that are now before this Legislature.

I also want to thank all the staff for their excellent job, not only in providing for us the facilities and services that were required even in exceptional cases, such as when the member for St. George was forced to travel in a wheelchair with the committee, but also for providing us day after day with documents, papers and information that greatly helped our committee to come to grips with part of the fundamental problems that can be called the question of the constitution of Canada.

We have been debating only part of the complex question which we hope will bring about the elaboration and approval of a new constitution for this country. Historically, a constitution is the result of exceptional events in the lives of nations; for example, the French Revolution, the American Revolution and events such as the Second World War, which brought new constitutions to many European countries.

9:50 p.m.

In Canada we are fortunate in a way because we are not only living a dramatic moment in the life of the nation but in a way we are living at a crucial time in this Confederation. It is up to all Canadians, from coast to coast, to come to an agreement and to give ourselves a basic and fundamental law which would govern the lives of all Canadians. For that reason, the method that was chosen was perhaps pragmatic but inadequate to the task. The press and media keep emphasizing the point that most Canadians are not interested in the process that has been initiated. Perhaps they are not interested because there is no public participation.

I thought that in an ideal world it would have been exciting if we could have constituent assemblies all over Canada in the small towns, cities and provinces that would start a process of ideas that could be compared all over the country and brought to that final document that should be the constitution of Canada. I think the role of our committee was important for one reason.

Apart from the delegation from the provinces and the federal government plus the Prime Minister—who were sitting around the

table in Ottawa during the summer—at least we ourselves had an opportunity to get acquainted with the complexity of the problems that we have to solve if we want to have a new constitution. At the same time, as my colleagues have been saying, we had an opportunity to go through the country and compare for ourselves the different realities that constitute Canada. We found realities that I never suspected; and perhaps that is my shortcoming.

When we went to the Yukon, I was really shocked when we found two solitudes so diverse and separated that I could not believe they existed in the same place. We spoke with the official representatives of the government of Canada, the assembly of the Yukon. We did not even suspect that there was almost a provisional government which was operating there. We saw the Indians operating as a provisional government of the Yukon. I suspect many other people did not suspect that reality.

We have been confronted with the realities and frustrations that are difficult to imagine when one lives in Ontario, the most industrialized province in Canada. We were confronted by the frustration of provinces where Canadian citizens feel they are less equal than other Canadians because of the preponderance of the presence of Ontario. Ontario's economic might is such that they feel excluded from the wealth of Canada and that was a lesson for us.

It was not only hostility towards Ontario, the province that displayed in the past and displays now a preponderant role in the economic life of Canada; to a certain extent it was an expression of frustration of Canadian citizens who wanted to be equal to other Canadian citizens or equal partners in this Confederation.

It wasn't only the matter of economic questions which occupied us—right now it is centring on the question of natural resources. Perhaps natural resources are so important and crucial because of the incredible importance of the oil, gas and energy resources in the modern economy of Canada.

But I think when we have a new constitution, we cannot base it only on the ownership of natural resources, onshore or offshore. We must address ourselves to a problem which is more universal. If we want to have a constitution which reflects the rights and the duties and the obligations of all Canadians, we should have a document that reflects the economic independence, political independence and cultural independence of Canada. We can have a nation that is free

and democratic and progressive, and reflects the needs and rights of all citizens only if we address thoroughly the question of its independence.

I do not think that with the patriation of the constitution we solve the problems this country is faced with. We don't solve the problems of unemployment nor of the foreign domination of this country. When we have 75 per cent of our oil industry dominated by foreign multinational corporations, when we have 60 per cent of our manufacturing sector dominated by foreign interests, I don't think we can really say we are an independent nation.

The same applies to the cultural sector. This is one of the reasons I took part in the work of the committee. I feel very strongly about the cultural setup of the Canadian Confederation.

My concerns and the concerns of the committee are reflected in the report we are debating. One of my concerns from the beginning was that we have been continually discussing Canada in terms of its duality, while now the reality is that it is no longer a situation of duality. Historically, I recognize the French and the English were the founding groups of this nation, but in 1980 we have a society where more than 30 per cent of the population is neither English nor French. I think that unless we produce a constitution in Canada that reflects the reality of Canadians, we will exclude from the structure we are giving the country a sizeable part of our population.

That is one of the reasons I was concerned with the preamble proposed by the federal government when it said Canada is constituted of French and English groups and with other ethnic groups which co-operated in the country's development. I do not think that does justice to the millions of people who are neither English or French but who have long been settled in Canada, some of them 100 years ago, and who feel themselves an integral part of this country. They don't feel themselves an appendage of the French and the English groups, and their loyalty to this country is equal to the founding English and French groups.

10 p.m.

For that reason, after a lengthy debate our committee accepted that principle, recognizing the duality and diversity of Canada. Unless we do that, we perpetuate a situation in which a sizeable group of Canadians will feel like second-class citizens.

Members may remember that when we had the debate on the motion that generated the



select committee on constitutional reform, we in the New Democratic Party spoke different languages, not in a partisan way but because we wanted to express the reality I am talking about. We spoke in Italian, Ukrainian, Portuguese and Polish, not because we wanted those languages to become official languages of Canada—that was far from our minds—but for us that was a symbolic gesture to tell Canadians that we are here and we are part of the process. We want to be here and we want to be recognized like other Canadians.

For that reason, I was puzzled by the agreement made by Quebec which provides that anglophone Canadians who move to Quebec can have their children instructed in English or French, while immigrants who go to Quebec must have their children instructed in French. I think that in the long range that is a mistake that will cost Quebec society dearly. Unless a majority recognizes and is generous with minorities, it may create reaction in the long range.

We know that majorities do not need protection of their rights because they are part of the structure in which they operate. It is always the minorities that need protection. For that reason, we have been fighting for many years for the protection of the French minorities in Ontario and in other parts of Canada. For the same reason, we are fighting for the protection of the minority rights of the ethnic groups in Canada.

If we think that multiculturalism is a reality in Canada, then we have to accept the idea that it has to operate in a viable way in our society. We do not accept the idea of the melting pot because we know what happened in the United States. We know that the assimilation process does not work, because after two or three generations there is a resurgence of the cultures of the groups that supposedly had to be absorbed and a resurgence of the social problems connected with cultures that are not always positive.

For that reason, we had a lengthy debate in the committee which brought us to the recognition of the rights of the minorities, especially in education. In fact, the committee recommends that minority educational rights be recognized as a right because the tendency of this government, whether with the French or with the ethnic minority, is to sneak some services by the back door. When they have the statutes translated in French, it is always a service. When the opposition parties ask for the same thing, then it is the imposition of bilingualism.

The same happens with the ethnic groups. After strong pressure, especially from the New

Democratic Party—and I am not saying that in a partisan way, but in a historical context—in 1975, finally, the government accepted the idea of instructing the children of immigrants in their mother tongues, but did so in the Progressive Conservative way of the government of Ontario by creating the heritage language program, which is halfway between giving instruction to the children in their language and denying instruction. In fact, it is not even part of the regular curriculum. That is not enough.

There are other provinces of Canada, such as Alberta, which is also a Progressive Conservative province, where instruction in minority languages is in place and has been in place for many years. There are now Ukrainian schools in which the children are taught in Ukrainian from elementary to secondary school. There are no problems in that province; there are no gaps between the Ukrainian minority and the other groups in that province. Actually, the program has been recognized positively by the government and has been extended to the other minority groups.

In Ontario, the committee, in accepting the notion of rights in connection with teaching in minority languages, went halfway, because it seemed it was too much to accept instruction in a language other than French or English; in fact we accepted the idea that it should be on a transitional basis.

I feel that is not enough, and when the committee convenes I think we should devote more time to this very important aspect, because it is not only a matter of pride for the ethnic groups to have their children taught in their mother tongues, there is a more fundamental approach that we have to take because it involves social problems.

Many people do not realize the realities in many ethnic families where the children speak English and the parents do not speak English. There is not only a generation gap, there is a cultural gap because there is a linguistic gap. The children cannot communicate with their parents, and the social consequences are incredible.

There are families where there is no communication at all. Especially in those groups, such as the European groups, where the role of the family in society is an important one, the parents not only do not have control over their children but do not even know what they are doing in the school system. When they become dropouts, and in some unfortunate cases when they become juvenile delinquents, the parents do not know why, and ask themselves why it happened, because

they did not have the possibility of following the progress of their children in the schools.

We have other examples in other parts of the world. In the United States, where this approach has been taken, especially in Massachusetts and in Florida where there are large Spanish-speaking minorities, the results are amazing. They have legislation in Massachusetts, which is the most liberal in the world, to allow what they call a two-way education through which minority groups—and I found it ironic that Italians were not considered a minority group but were considered part of the majority—can choose for their children whatever language of instruction they want.

10:10 p.m.

I think we have to take that route because we have, especially in Ontario, large minorities. We have thousands and thousands in the city of Toronto. Fifty per cent of the population is made up of immigrants, and I think the role of the constitution of this country should be one that allows those people, half the population of Toronto, to feel not only at home but also part of the process of this nation.

Unless we allow that large minority—and it is very large throughout Canada—to become part of the process, we will have ghettos, we will have people who are not participating in and contributing to the building of the new Canada. If we think that the Canada of which all of us are a part will be based on the ignoring of large sectors of our population, we are making a mistake.

On the basis of the historical duality of Canada, we can introduce, especially from a cultural point of view, not only the riches of cultures that are part of a civilization that goes back thousands of years but also values that are universal; when they are brought into Canada, they will help Canada to become a richer country, culturally. When we have every Canadian participating in the life of Canada, then we will have a better Canada; at that point it will be even easier to solve our problems, because there will be more understanding and more tolerance. I think that has to be the goal we should propose for ourselves.

In closing, the work of the committee was interesting not only for the members of the committee but also for the Legislature of Ontario, because we are debating issues with which we were not acquainted before. I think we should have more committees; we should have committees throughout Canada. As I said at the outset, it would be exciting if we could involve all Canadians in constitu-

ent assemblies or in other forums and have them participate in the debate. Only if we do that can we understand each other and the problems and come to an agreement.

I hope there is also more understanding on the part of the press, which is always quick to criticize us. At some point they also should say, "Mea culpa." In fact, it would not be a bad idea if they could sit and listen to this debate, because perhaps they would have some ideas that could be clarified and they could contribute by divulging ideas that perhaps are not always clear to them and that on some occasions are easy to discard.

The work of the committee should continue.

**Mr. McCaffrey:** Mr. Speaker, at the outset, I would like to make reference to the relevance of tonight's debate, the relevance of the committee's work and the importance for me, as a private member of this assembly, behind that assignment, being a member of the committee on constitutional reform that sat this summer. The events of the summer and the timetable before the Prime Minister and the Premiers which followed the referendum in the spring of 1980 made it a unique opportunity for us as members of this assembly to serve our colleagues here and others as we got on with our work. I do think our committee's work was timely and relevant—I use that word again—as is the discussion tonight.

I will say there was some concern about relevancy in my mind and perhaps in the minds of others when we began our deliberations in July in the basement of this building when the attention of the media was quite properly on the ministers who were racing across the country trying to finalize the agenda. I guess each of us wondered privately how relevant our work might be. It is a tribute to the chairman of the committee, the people on the committee and the staff of the committee that for my own part I had no difficulty at all with that question of relevance after some few days of our work.

I was disappointed that there was not more attention paid to our work. I guess that is just a function of spending a goodly part of my time as a private member of this House, in the basement of this building on various committees. I was disappointed because I felt we were learning and making progress. Each of us, in a public way, was growing in our understanding of Canada and the problems of the country and I was disappointed that people did not pay a little more attention to our work.



I was especially disappointed when I reflected on the fact that all of us as taxpaying citizens have grown to accept the fact that senior civil servants and bureaucrats, be they from the provincial capitals or the national capital, do meet with one another regularly. They certainly did so at an accelerated rate over the summer and had an opportunity to visit other parts of the country more often than most of us do. When the senior civil servants—I do not say that in any kind of disparaging way—or the bureaucrats do that, we see it as a part of their normal work and responsibility.

However, when politicians, particularly provincial politicians, set out to learn some things about our own country, it was perceived as a junket. I had some difficulty with that and I still do. It was not a junket. It was, in my three and a half years' experience here, the most intelligent, effective use of tax dollars that I have ever seen.

I may just touch on a couple of the impressions that as a private member I got over the three and a half months we met. If time permits I would like to get into one or two specific areas.

Midway through our exercise, an impression began to grow within me and still stays with me that as a nation we have come dangerously close to losing something, to losing our sense of this country and, even worse, to losing our ability to deal with one another in the various regions of this country. I was worried and nervous about that and I remain so. I think we have come dangerously close in Canada to losing an opportunity which is unique in the free world.

We are the second largest nation in the world, rich with people, rich with a commitment to freedom and rich obviously in our resources. In the context of the other nations of this world, with 25 million people, we are at the infancy stage of our development but if we do not rapidly learn a little bit more about one another and come to grips with these problems before us, I think we run a serious risk of losing an opportunity that is unique to us.

Another impression that very quickly hit home to me—notwithstanding all the comments made, and made by me as well, in the debate we had here prior to the Quebec referendum—was our commitment which is on the record about our rush to change the status quo. As we went from day to day in our committee, I really felt we were looking for an agenda asking, "Where are we going next? Where should we attack this? How can we as Ontario politicians learn a

little more and what are we going to do with it?" We did not have an immediate agenda that I think an analogous group would have had in other provinces of the country.

10:20 p.m.

For example, I cannot conceive of the Newfoundland assembly setting up a select committee composed of 15 private members who wouldn't, within the first two hours of their meeting, know pretty well what they wanted to do and where they wanted to be in three or four months.

We stumbled around a little bit and I think that told me, in a peculiar kind of way, there was no real urgency to do a whole lot of changing. There was urgency to reach out, to try to come to grips with this region or appease that region or learn more about all the country. But there was no immediate thing that we, as Ontario politicians representing a variety of backgrounds and three different parties, wanted to get on with.

Another impression that stayed with me—and I don't say this at all in any kind of a partisan way—is that the federal Liberal ruling party has failed dismally—in its obligation to the regions at least. It wasn't simply, in my judgement, a question of arrogance. When one talks to people in western Canada about Ottawa, about the government, it wasn't just arrogance, it wasn't just aloofness, it was ignorance. This is not to be confused with stupidity, because the federal Liberal Party, God knows, is not stupid. There is not a person in this assembly who has not marvelled at their political skills in this region of Canada. They are a marvel. I only remain disappointed that they haven't carried those skills to the other regions of Canada, particularly the west.

An impression that hit me midway through our exercise and stays with me and grows inside me is the great risk that all of us, as politicians, face when we play regional political games, I will call them for the moment. I refer to appealing to regional discontent.

I say that as someone who was born in South Porcupine, Ontario, and I have long roots in South Porcupine. As a child I had an image of Hogtown, as Toronto was called, and that was almost the fun side of the regional business that goes on within our province and within our country. It didn't have an evil side. I suspect that my friend the member for Cochrane South (Mr. Pope), who is the MPP for that great community, may even on occasion have said a few things about Toronto to people in South Porcupine

and Timmins that he thought would be well received. I do not know that, but I would not be surprised if he did that from time to time.

Further, the business of running against Ottawa is something that has been practised on this side of the House certainly for some 37 years. We take it, I think, with a grain of salt, understanding the context in which those kinds of comments are normally made—regional political games.

Within Ontario, the regional political games have an aspect that concern me somewhat when they have other dangerous characteristics. Pandering to those harsh elements in the community is one of the illustrations of it. If it means pandering to that element in all of our constituencies that would like to have their anger against the Anglo establishment articulated, I think that has a dangerous aspect. The old Orange Lodge type mentality is something that I have felt and seen and don't tolerate because it is dangerous.

Outside Ontario, the business of running against Ottawa again is part of the game. That is normal yet it has a dangerous side. Running against Ottawa can mean running against the eastern establishment, and that is fine. Not being a part of it, it is easy for me to say that. But when these differences are nurtured, and when politicians in Canada, all politicians, feed on those differences, they run serious risks to themselves, the dignity of their profession, the intelligence of their constituents.

I think the regional political game in Canada has been raised to a level of high art at a time when we can least afford it. If I may make an observation in that area with regard to the United States, I suspect that almost all politicians in the US do run against Washington. Candidates for the presidency have regularly run against Washington. The other night was one recent example of it. I think, though, there is a fundamental difference between the regional politics and the way the game is played in the United States and the way it has been played in this country.

**Mr. Peterson:** That is easy for you to say.

**Mr. McCaffrey:** It is easy for me to say. The difference is one that deals with the essential umbrella under which the people of the United States always feel comfortable. They identify as almost a first response with the nation. Most people down there can articulate their concept of the United States. I do not mean just the melting pot, but that is a part of it. Most school children down there can, and regularly do, quote from the US constitution. They have a view of them-

selves and a view of their country and have an umbrella under which they can afford to play those regional games. I do not think we have such an umbrella. When we play those political games, we do run the risk of pulling this nation apart. We do not have sufficient bonds in common that permit us to do that.

Ours is a nation that had at its conception a concept of duality. I will come back to that. On that concept of duality we have articulated a multicultural community commitment, a sense of multiculturalism based on this essential duality. I am not sure we have spent enough time, particularly the politicians, in talking about those factors that unite us. If we require more symbols, then I think that should be one of our obligations. Those are some of the impressions that I learned over the summer that stay with me.

Can I make an observation or two about Alberta in the few minutes remaining? I am using Alberta as an example of the west and as an example of the resource problem before the Premiers and the Prime Minister and before our committee over the summer. Grievances have been nurtured. They are real and legitimate grievances, such as tariffs, the eastern banks and freight rates. They are very real and legitimate but old grievances, though nurtured nonetheless.

By the time we get into the early 1970s in Alberta, when oil takes a different direction in terms of what it means to Alberta because of that explosion in oil prices, there is a coming together of a lot of very powerful forces over those old grievances. I think Premier Lougheed himself is one of those important forces that came together there when oil prices began to explode giving incredible strength to the government of the day. I do not think that one gets 74 out of 79 seats in an election without having some pretty fundamental forces at work in the society.

We had a meeting in our last visit out there a couple of weeks ago with 10 or 12 members of the legislative assembly in the same room with the presidents of two Canadian oil companies and the president of the Alberta Federation of Labour. It was interesting to observe that the political government arm and the corporate and labour sides were, by and large, at common cause. That is worth emphasizing. There was a sense of nationalism there. In almost every instance through that morning's agenda they had common cause. There is great frustration out there and it is not a new frustration.

We can look back in the last few months and see examples of it when the Premier of Alberta says that an export tax on the



province's natural gas would be a declaration of war. That is pretty strong rhetoric. There are countless examples of that from the early 1970s on. That was not a new threat or a new message. We felt the frustration and anger as a committee out there.

I began, subsequently, to learn a little more about it. I think it helped me to understand some of the rhetoric and why they passed a piece of legislation giving them the authority to hold a referendum. It helped me to understand last week's announcement to cut back production. The frustration had so accelerated that the dominant theme must have been, "How the hell do we get Ottawa's attention?"

Sir, it being 10:30 p.m., do I move the adjournment of the debate?

10:30 p.m.

**Mr. Speaker:** Conclude your remarks.

**Mr. McCaffrey:** I shall conclude at this point.

**Mr. Speaker:** It is the understanding of the chair that the House had agreed that 10:30 p.m. would conclude the consideration of the report as recommended by the select committee on constitutional reform.

**Mr. Renwick:** On a point of order, Mr. Speaker, the latest information which I have, which may be yours, is that this debate will continue on the evening of November 20—the Thursday after next.

**Mr. Speaker:** That was not my understanding. The member for Armourdale should then move adjournment of the debate.

On motion by Mr. McCaffery, the debate was adjourned.

#### INVESTMENT COMPANIES' FAILURE

**Mr. Speaker:** Under standing order 28, a motion to adjourn the House is deemed to have been made. The honourable member for Hamilton Centre has up to five minutes to explain his displeasure with an answer previously given by the Minister of Consumer and Commercial Relations.

**Mr. M. N. Davison:** Thank you, Mr. Speaker. I did not request this special debate simply because of my personal dissatisfaction with the answer of the Minister of Consumer and Commercial Relations to my questions on Re-Mor Investment Management Corporation on Tuesday afternoon. The fact is I am dissatisfied with a great deal of what the minister does personally.

I requested this debate on behalf of the Re-Mor victims, victims of the minister's negligence; people who are dissatisfied with

the minister's response to the questions I and other people have raised in this House about this matter. They are not only dissatisfied, they are angry. They are angry that this minister registered Re-Mor, which led to the ripoff taking place.

Frankly, they are dismayed that the minister has constantly tried to blame the feds, exclusively, for the whole problem because of their involvement with Astra. The fact remains that if Ontario had not registered Re-Mor, through the Minister of Consumer and Commercial Relations, the ripoff could not have taken place. Therefore this matter cannot be blamed totally on the federal government. These people are hurt because this minister and the government he represents lack the basic decency even to enumerate their reasons for not admitting their liability in this clear case of negligence.

Back in 1978, Mr. Carlo Montemurro—a shady character at best and no friend of mine—was running Astra Trust and something CNM Financial Consultants, which also held a mortgage broker's licence from this ministry. On November 22, 1978, the Ontario Securities Commission, within the area of this minister's responsibility, placed a cease-trading order on that company because of its activities.

On February 8, 1979, the Supreme Court of Ontario appointed a receiver for that company. That eventually ended up in a \$3.8 million fraud charge against Mr. Montemurro and his colleagues for their activities. Yet on February 21, only two weeks later, through the Mortgage Brokers Act, this minister issued yet another licence to Carlo Montemurro so he could continue to steal from people in Ontario; and that is at the heart of this matter.

Section 5 of the Mortgage Brokers Act, for which the minister is supposed to be responsible, states an applicant is entitled to registration except where, having regard to his financial position, the applicant cannot be reasonably expected to be financially responsible in the conduct of his business, or the past conduct of the applicant affords reasonable grounds for belief that he will not carry on business in accordance with the law and with integrity and honesty.

I will tell the minister something: Mr. Carlo Montemurro is anything but honest and is anything but a person who would carry on his business in accordance with the law and with integrity; and the government knew that at the time.

It is clear to me that the Ministry of Consumer and Commercial Relations contravened

the Mortgage Brokers Act, section 5, when it registered Montemurro. It is wrong that the ministry would simply dump on the feds rather than try to help the people who have suffered through its negligence. The minister's negligence has led to over 320 people being ripped off to the tune of \$6 million, and the victims have had to go so far as to sue the government to try to get their money back. That is a shameful state of affairs.

On October 10 when I raised this matter and asked the minister to admit his liability, he answered with one word: "No"—a simple no.

On November 4 when I again raised this matter and asked him at least to have the decency to enumerate his reasons for not accepting his liability under section 5 of the act, what was his response? "I answered that on October 10." He certainly did. Then he alleged that he was not liable in any way whatsoever. He simply refuses to deal with this matter.

I charge, Mr. Speaker, that the minister has been rude, that the minister has been cowardly, and that the minister has been lacking in decency, not to the member for Hamilton Centre but to the Re-Mor victims—honest, decent, hard-working people in this province who have been ripped off because of the clumsy negligence of the Minister of Consumer and Commercial Relations.

**Hon. Mr. Drea:** Mr. Speaker, the member for Hamilton Centre on November 4 asked in part, "Would he take this opportunity to explain to the people who have been ripped off because of his negligence why, in fact, the ministry is not liable under section 5 of the Mortgage Brokers Act."

The ripoff to which the member refers was occasioned by the fact that people thought they could put their faith in the name of Astra Trust. The registration of Re-Mor did not cause the unfortunate events to take place. The ripoff was executed in the Astra Trust offices by people in Astra Trust offices purporting to have investment opportunities in Astra Trust ventures and, I dare say through a sin of commission or omission, causing the Canada Deposit Insurance Corporation to be dangled as a selling feature.

For the member's information, section 5 of the Mortgage Brokers Act does not create liability. The section deals with the registration of mortgage brokers. It simply lays out for the registrar the factors to consider on an application for registration. It is to be noted that under the provisions of section 5, registration is not a privilege but a right. The

section specifically states that an applicant is entitled to registration except in certain limited circumstances.

Under the provisions of the act, the registrar cannot on his own refuse to grant the registration. There is an onus on the registrar to prove that an applicant is not entitled to registration.

Under the provisions of section 5, the registrar would have had to establish before the Commercial Registration Appeal Tribunal that having regard to the financial position of the applicant it could not reasonably be expected to be financially responsible in the conduct of its business. In the alternative the registrar would have had to establish to the satisfaction of the CRAT that the past conduct of the applicant's officers or directors afforded reasonable grounds for believing that its business would not be carried on in accordance with law and integrity and honesty.

In the situation under consideration, it would appear that the registrar, on the basis of the information available to him at the time of the application, did not believe he had evidence upon which he could establish to the satisfaction of the CRAT that the applicant was disentitled to registration.

As this matter is now before the courts, I do not wish to discuss the merits of the registrar's action. I would like to stress, however, that I have faith in my officials and I have had no evidence presented to me which would cause me to question that faith.

**Mr. Speaker:** This concludes that item. Under the same standing order, the member for Welland-Thorold has expressed his dissatisfaction with the answer to a question given by the honourable Minister of the Environment. I will hear the member for Welland-Thorold for up to five minutes.

#### LIQUID INDUSTRIAL WASTE

**Mr. Swart:** Mr. Speaker, I requested this debate tonight because the Minister of the Environment gave a simple, "Tests were made," to my question this afternoon about the Ford Motor Company sludge which was taken into Walker Brothers quarry. I had asked how tests could have been made on the more than one million gallons of chromium sludge trucked to Walker's between September and December of last year when the ministry didn't even know it was being trucked there at that time.

It is now eight hours since I asked that question and I presume the minister will explain his reply—the number of tests which



were taken by his ministry, how they were taken, the results of those tests and that he will table them in the House for all of us to see. Failure to do so will further destroy what little credibility he has left on the Walker issue. It is important to know whether the contents of the Walker dump are hazardous.

10:40 p.m.

On October 21, I initially asked the minister to do a thorough examination and investigation to see how badly he had been hoodwinked by Walker Brothers in permitting chemical and other liquid wastes to be placed in the dump site. The day following the W5 revelations I wrote an open letter to the minister demanding among other things the investigation of all of the contents of the site and for him to remove any which were hazardous. The following day during the question period I asked him for a 24-hour-a-day surveillance of the site. That same evening the council of Thorold passed a resolution to send a telegram to the Premier (Mr. Davis) asking for basically the same thing.

The minister ridiculed the request for the 24-hour surveillance, saying, "The member is asking to have someone at every site in the province." Of course I made no such request. I only asked it for the Walker Brothers site and with good reason. On this dump site the minister implies that he himself had been misled by the owner. In his letter of October 16 to Walker Brothers Quarries, the minister indicated that Mr. Walker at first indicated that he knew of no drums being buried and then he finally remembered that several had been. The minister indicated that they were only going to take 300,000 gallons of sludge when they had taken over 1.5 million gallons. He also intimated that there was ease of unauthorized entry which would have to be corrected.

Now the minister has been made aware of hundreds of drums buried in the dump about which Mr. Grant Mills, his environmental director of the west-central region says, and I quote from the newspaper, "I have no idea of what is in those drums." When asked if it could be chlorinated hydrocarbons or PCBs, he said, "They could contain anything."

Does the minister not want to find out the truth now? After all, this is one of the two companies he selected to look after future disposal of all southern Ontario's chemical wastes. Does he not want to find out their degree of trustworthiness or otherwise? Does he not think that he should ensure that no

incriminating evidence is removed? I say to him, unless he is deliberately leaving that loophole, he will apply the surveillance and do it at once.

That ministry has given no commitment to checking that sludge or anything else in the dump. Does the minister know that when Mr. Edenson, the tipster about the drums being buried, pointed out the location yesterday to his ministry officials and to Walkers and the press who were there, Mr. Mills said, "Should a dig for the drums take place, the ministry would probably go as far as checking the contents of one representative drum." Mr. Majtenyi, the minister's peninsula engineer, said that the search for the tankers and the drums may be curtailed by ministry officials in Toronto.

I say to the minister, this is an irresponsible attitude towards the welfare of the citizens of Thorold, the Niagara Peninsula and all Ontario. The 24-hour surveillance must be done at Walker Brothers. All the contents of the quarry must be examined and because of the incriminating evidence already available, the solidification process must not be located at the Walker Brothers site.

**Hon. Mr. Parrott:** Mr. Speaker, the honourable member has chosen to rise on a question of dissatisfaction with the way a particular question was answered.

Interestingly enough, he spent almost all of his time dealing with a question that was raised on another occasion and answered on another occasion, and he spent very little of his time, if any, except the first sentence or two, on the question on which he raised the issue.

I found that a surprising turn of events. His remarks were not really directed to the question with which he expressed dissatisfaction. On that basis I think I will make no further comments.

**Mr. M. N. Davison:** That is irresponsible.

**Mr. Speaker:** Order. Order

**Hon. Mr. Parrott:** I am not suggesting that you should, Mr. Speaker, but I think if the record is checked it will be found that the question the member addressed himself to was raised either two or three days ago and the question on which he raised the issue, was asked in the House today.

I can say that much of what the member has reshaped is not relative to the question he raised today. I would say to him in a spirit of attempting to have him understand more about the question at issue, if he would like to see our lab, we would be more than

pleased to go with him and explain the tests and the procedures that we do take in that particular—

Mr. Swart: I don't want procedures. I want results of the tests within three months.

Hon. Mr. Parrott: If he would like to spend some time with my staff, we would make them available to him. He might learn a great deal.

The House adjourned at 10:44 p.m.

### ERRATUM

No.	Page	Column	Line	Should read:
105	3994	1	37	residents of the former township of Nasagaweya requesting a commission of inquiry

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No. 110

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# Legislature of Ontario Debates

## Official Report (Hansard)

**Fourth Session, 31st Parliament**

Friday, November 7, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

FRIDAY, NOVEMBER 7, 1980

The House met at 10 a.m.

Prayers.

## LIQUID INDUSTRIAL WASTE

**Mr. S. Smith:** On a point of privilege, Mr. Speaker: I know you will remember the exchange in the House between the Minister of the Environment (Hon. Mr. Parrott) and myself, regarding a contradiction which I had determined existed in a statement the minister had made to the House as opposed to evidence I presented to the House.

You will be interested to know that although the minister refused to admit that contradiction and withdraw his allegation in the House, he went right outside of the House, admitted the contradiction, claimed he had been misled by his officials, as I suspected, and admitted there was a contradiction.

It does seem to me that the minister has made a serious allegation about a company, about which perhaps other serious allegations may be true. However, that one serious allegation should be withdrawn from the record of this House. The minister apparently was willing to do so outside the House; I would ask him to do so inside the House.

**Hon. Mr. Parrott:** Mr. Speaker, nothing could be more incorrect. If the Leader of the Opposition wants to talk about being correct or incorrect, I want to put this very clearly on the record. As a matter of fact, it is rather interesting. The New Democratic Party would have us believe the company is guilty before the trial. At no time have I indicated I think that company is guilty.

I tabled the letter. I would be glad to read it into the record. It certainly makes it very clear that there are many matters for discussion. It starts with saying certain serious allegations have been made. That is all it says: Certain serious allegations have been made. Then among the allegations—and I am only taking excerpts from this because the letter was tabled first—it talks about a greater volume. Never for one moment did it say we did not know the waste was there.

Secondly, it talks about what went on at a public information session. Then, additionally, it says, "We have been informed of an apparent case of unauthorized entry into your site." There were three or four various things we said to the company that we wanted to know. The letter concludes by saying, "In view of the seriousness of these allegations and the need for this ministry to give total assurance to the community for the safe operation of this site and the acceptability of your solidification proposal, I am suspending further activities."

I think it should be the reverse. The Leader of the Liberal Party has come close to saying I misled this House. If that is what he is saying, he had better say it. I ask you, Mr. Speaker, how is it humanly possible to mislead the House when I tabled the letter and spoke very clearly, without any doubt, about the statement? There it was; it was tabled. There was absolutely no misleading of this House. If it was done, it was done by the Leader of the Opposition.

**Mr. S. Smith:** I really have to respond to that, Mr. Speaker. I am quite flabbergasted about this. To review, the minister made a statement in this House in tabling his letter, which said that one of the things he was very disappointed about in the company's performance was that it continued dumping the sludge from the Ford Motor Company past September 1979, when the ministry officials had understood, the letter said, it would stop in September 1979.

We produced the letter yesterday, which makes it clear that his officials knew very well the dumping would continue until January 1980 unless they were instructed otherwise. Therefore, it is clear that at least some of the minister's officials could not truthfully say the dumping was expected to stop in September when they knew it would go on until January.

I do not suggest for a moment that the minister is anything other than an honourable man. I accept that he himself was told by his officials at one point they thought the dumping would stop in September 1979, but they did not tell him of the existence of that other letter, which plainly indicated

that, from the company's point of view, they had tacit permission to continue until January 1980.

The minister admitted this to the press outside this very chamber yesterday. I only ask him to admit the same thing here, that his officials have not been consistent in the information they have given him and he has, therefore, inadvertently put on the record that the company was expected to stop dumping in September when the truth is the company was expected to stop dumping in January.

That is a very simple matter. The minister admitted it to the press. I ask him simply to admit it in the House because he refused to do so yesterday. Instead, I get some diatribe about what the Leader of the Opposition is or is not doing. I ask you to rule on that, Mr. Speaker.

**Mr. Speaker:** I have not had an opportunity to see what was tabled in the House. I cannot concern myself about matters that were discussed outside the House; I can only deal with what is before us. If the minister has nothing to add, I will simply undertake to have a look at it.

## ORAL QUESTIONS

### REMEMBRANCE DAY BOOKLET

**Mr. S. Smith:** Mr. Speaker, may I ask the Premier if the Minister of Education (Miss Stephenson) is expected?

**Hon. Mr. Davis:** No, Mr. Speaker.

**Mr. S. Smith:** I can direct the question, then, to the Premier. The Premier will be aware of this otherwise excellent booklet which has been sent to the schools with suggestions as to how to commemorate Remembrance Day, and he may be aware that on page 23 of that booklet there is the song and so-called war game that is referred to in this morning's newspaper and which, in my view at least, is very offensive to the spirit one wishes to create on Remembrance Day which is a pretty serious and solemn occasion.

Will the Premier take a moment to familiarize himself with the booklet which, as I say, is an otherwise very fine booklet? Will he look into how many have been distributed and, since this booklet is intended to be used for perhaps the next five years, will he assure us that those that have been distributed will be withdrawn and the offending portion on page 23 removed?

**Hon. Mr. Davis:** Mr. Speaker, I have not reviewed the whole document. I glanced at the story in the Globe and Mail this morning

very quickly. We do not get delivery in the rural areas as rapidly as in Hamilton, so I had to rush through that paper this morning very expeditiously.

I have a couple of copies of the booklet here if other members would like it. I just went through it very hurriedly and there are parts of it that I think are very appropriate. 10:10 a.m.

I think it is fair to state the ministry has made a very conscientious effort to have something of a more meaningful nature within the schools for Remembrance Day. I know all members take seriously the fact that the young people in the school system today have not had that sort of relationship to the day itself or the significance of it. I am one of those who happen to believe that the young people in the school system should be made aware of it and that there should be a very genuine effort on the part of all of us to try to impress upon them the significance of Remembrance Day.

I think it is fair to state that over the years and I recall my own involvement in this as Minister of Education, it has not always been easy to get the teaching profession—and this is no criticism of the profession at all—or some of the schools to take the occasion as seriously as I feel we all should. As I say, in glancing through the booklet, I think it is fair to say it was a very conscientious effort on the part of those who prepared this material to make it more relevant and more meaningful.

When I was Minister of Education those many years ago, from my experience when one gets a group of people together—and I am told that the material was prepared by members of the profession—there is always the danger of a section or a portion that could be considered to be less than meaningful by some members.

I have had only a brief look into it, but I am informed that the ministry itself has had only one objection since its distribution and that actually a member of the Provincial Command of the Royal Canadian Legion was either part of it or saw the material prior to its being distributed. I am informed he was really quite enthusiastic about it. Whether he zeroed in on this particular section, I can't say as I have no way of knowing, but I can say to the members of the House that the intent of the ministry was to make this a memorable and meaningful experience for the children in the school system.

I certainly will ask the minister to review that particular portion of the booklet and to have some discussion as to whether it might



be replaced or altered for ongoing years. I think any book of this nature should be subject to review. I do emphasize, and I know I speak for members on this side and I am sure members on the other side of the House, that November 11 has to have substance for our young people. I know it is rather difficult to say it has to have substance for our young people when there are so many adults who on November 11 still perhaps carry on in the usual fashion, where the day really does not have that meaning for them.

I cannot comment on this or make any recommendations, except to say that from my perspective, and I hope I speak for members of this House, it is a day when we should all very carefully assess and remember what those men and women sacrificed to enable us, as Canadians, to live in freedom in a nation where the questions of rights and privileges are really beyond that of most other places in the world. That, to me, is a little bit of what Remembrance Day is all about.

**Mr. S. Smith:** I share entirely the sentiments which the Premier has expressed and which I expressed in my question as well. By way of supplementary, if the Premier takes a moment to look at the actual game that is suggested for the children, a game which suggests a war between Romans and English over the subject of bread and wine, playing with cats and dogs and singing "Now we've only one leg . . . Now we've only one eye . . . Now we are all dead and gone," and skipping in a merry ring and so on, I honestly believe he will come to the same conclusion which I have reached, that one page in that one game is so trivializing of the issue, shows such poor judgement and is so out of keeping with the spirit of the day that this otherwise excellent brochure should be altered by taking out that page.

I would ask him specifically to give to the House the assurance that he will, if possible, withdraw the copies that have already been distributed and change them and, if not, at the very least distribute no more until this page is taken out.

**Hon. Mr. Davis:** Mr. Speaker, the material has been distributed to the schools of this province. The date for observation of this important time in our history is next Tuesday. It is quite obviously impossible to recall this document, which the Leader of the Opposition emphasizes is an excellent document. It is always regrettable when one reads these stories. I am not being critical of the person who wrote the story, except I think there is some merit in having a little balance in these

things. Perhaps there was merit in pointing out, as the Leader of the Opposition has, that it is an excellent document with the exception of this one particular reference.

I would not argue for a moment if the teachers in the school system get the same sense I do from this particular portion that it can be misunderstood. I am relatively confident the vast majority of teachers, because there is sufficient material here to have several hours of discussion in classes, will give this particular portion very little attention on Tuesday next. I will bring this to the attention of the minister and the ministry. I cannot do so before Monday. In fact, I am not even sure I can do it on Monday, but I think I can get in touch with the ministry before Monday.

**Mr. R. F. Johnston:** Supplementary: It has just come to my attention that one school board at least, Prescott-Russell, is planning on having Remembrance Day recognized on Monday, November 10, rather than on November 11. I wonder if the Premier could tell us what is the position of the ministry and the government on that. I feel very strongly that November 11 should be kept as November 11 and not moved to a more convenient day such as Monday, November 10, in celebration or remembrance of the suffering our war heroes underwent.

**Hon. Mr. Davis:** I do not have any immediate response. The decision as to what day is commemorated by the schools is a matter of the local board's jurisdiction. If the member were to ask me for a personal preference, I probably would suggest that it be on November 11. But one must remember that a number of schools take holidays on November 11. This is one of the contradictions; it is a day of remembrance. This Legislature is adjourned for November 11. There are some who construe it as being a holiday rather than a day of remembrance. If a school board determines it does not want this opportunity for remembrance to escape or be left unnoticed, commemorating it on November 10 is an alternative, knowing the children may not be there on November 11. The member has to assess whether or not that makes good sense. I just plant that seed with him to reflect and to meditate upon.

**Mr. Foulds:** They are going to school on November 11 and taking a holiday on November 10.

**Hon. Mr. Davis:** The member for Port Arthur suggests they take the holiday on November 10?

**Mr. Foulds:** No, that is what they are doing.

**Hon. Mr. Davis:** As I say, it varies with different school boards. I know there are some communities in which a number of children participate in the actual services on November 11. One might develop a rationale that going through this and having some discussions in school prior to the eleventh might make sense. I have no hard views on the best way of handling it. My interest is that children in the school system have some understanding and awareness of what this particular date in our history means.

**Mr. Speaker:** Given the sentiments expressed by all members who have spoken about this issue and since the House will not sit on Tuesday, Remembrance Day, it is therefore appropriate to pause today in this assembly to pay tribute to the hundreds of thousands of Canadians who took part in the tragic wars of this century so that we might continue to enjoy those freedoms which are exercised by each of us here every day. Not only do we pay tribute to those who died, but also to those veterans who are still with us, particularly those who are in hospitals.

May I invite all members of the assembly and all our guests to rise and join with me in two minutes of silence at this time.

10:20 a.m.

### HOSPITAL BEDS

**Mr. S. Smith:** Mr. Speaker, my question is: for the Minister of Health. Is the minister familiar with the situation that is now occurring as a consequence of his policies of bed cutbacks and budgetary restraint? Is he aware of the problem in Hamilton where, I am told by Dr. Lichtblau, the waiting period for urgent cases in any of the hospitals is anywhere from two to four weeks?

More important than that, the doctor brings to my attention the case of a 74-year old man who had a heart condition, several repeated infarcts and heart attacks. There is something now in Hamilton called an ambulance ban which means that when things get really bad in terms of bed availability the ambulance is forbidden to bring even an emergency case to a given hospital, such as in this case, St. Joseph's Hospital.

Since this 74-year old man had all his previous cardiograms at every previous episode done at St. Joseph's Hospital and since in order to understand the episode of chest pain the previous cardiograms were required

to see any changes that may have occurred, it was lunacy to send this man to any other hospital. This doctor, along with another specialist, fought tooth and nail and finally succeeded in overcoming the ban and got this patient in. They discovered he had suffered a heart attack which was immediately diagnosed and treated properly.

In this case, the doctor says, "We were able to save this patient, but if I had not fought and if I did not insist, the diagnosis and treatment would have been a lot more difficult." That is putting it mildly.

Will the minister pay attention to what he is hearing from around the province and recognize that the present bed situation and these ambulance bans and waiting lists for urgent cases, are simply not good enough and are signs of a desperate situation in our health system, which previously was the best in the world?

**Hon. Mr. Timbrell:** Mr. Speaker, I am glad to say that the system is still the best in the world. Secondly, I am pleased to say that instead of cutbacks, which is the word the Leader of the Opposition used, especially at the time he wanted to slash my budget by \$50 million, we have increased the number of beds in the province by over 3,000 in the past five years.

In that particular area or in any area, the standard procedure in an ambulance call is to take the patient to the nearest hospital, which has always been accepted to be in the interests of the patient. If it is an emergency, they get them to the nearest hospital. Once that has been done, if the person needs to be transferred for the kinds of reasons the Leader of the Opposition suggests and if it is safe to transfer him, then that is carried out.

In that particular area we have recently added a number of chronic care beds. The health council in that area has prepared a further report on long-term care needs, which will undoubtedly see further chronic and/or nursing home beds added to the community, but there has been no indication whatsoever to me that there is a shortage of acute care beds in the community.

**Mr. S. Smith:** Might I, by way of supplementary, ask the minister to consider this letter? I will send him a copy of it. I ask him specifically to address himself to what it says here. I know the doctor in question because he is not only a family physician but has been head of the utilization committee at St. Joseph's Hospital for many years.



I would simply read this. He says: "The waiting period for urgent cases may be from two to four weeks, but lately something is happening with more and more frequency: a so-called ambulance ban is called on St. Joseph's Hospital. What it means is that emergency cases are taken to another hospital, regardless of whether it is in the patient's best interest or not." He goes on and has a number of comments to make about what it is like to practise medicine in these circumstances.

I would ask the minister to respond to this letter, which I will send to him, and to let me know what his response is. I would also ask him to sit down with his officials in the Hamilton area and see whether this is happening and to make sure they are given enough resources in Hamilton to be able to operate the acute care system properly. At the same time, one hopes he is eventually going to expand the chronic care system as is required. Would he please look into this and make certain that no such ambulance ban needs to occur in Hamilton or anywhere else?

**Hon. Mr. Timbrell:** Mr. Speaker, I am glad the member raised the question of resources because in the 1980 budgets we did grant increases in January in the base budgets of the hospitals to cover inflation in hospital costs.

I will take a look at that situation. The member will not mind if I remind him of the quotes from him going back over the past couple of years calling for cuts in social services, in beds and in the budget of the Ministry of Health.

**Mr. Cassidy:** Supplementary, Mr. Speaker: What does the minister intend to do about the cutbacks in services which are represented by the prospective deficit of \$1.5 million at the Ottawa Civic Hospital and of \$500,000 at the Riverside Hospital in Ottawa?

What of the prospective cutbacks and services being faced across the province, as told to the minister by the Ontario Hospital Association at its convention a week or so ago? He was told that the cumulative hospital deficit this year will hit \$75 million as a result of ministry cutbacks and the way the ministry has been squeezing them dry.

**Hon. Mr. Timbrell:** I am afraid the member is editorializing a little bit. That is not quite what they said. I would remind him of what I told them, namely, that we had found in analysing the budgets that \$25 million to \$30 million of the projected deficits were due to unauthorized increases in programs and staff. Some of these may very well

be justified, but we simply cannot budget for them if we are presented with bills after the fact.

A further \$20 million to \$25 million of the projected deficits are due to the inclusion in hospital estimates of wage and salary increases in excess of what we had budgeted for. We have said those simply cannot be allowed at this time. We have to wait until the negotiations are completed with the Canadian Union of Public Employees, the Ontario Nursing Association and the other unions.

Finally, we are dealing on an individual basis with the hospital budgets. Where their costs have gone up due to uncontrollable increases in patient volume and activity, we are granting mid-year increases in their budgets. About 40 or 50 have already had notices to that effect.

**Mrs. Campbell:** Supplementary, Mr. Speaker: One hospital in my riding is at this time considering as an option the closing of 38 beds from December until the end of its fiscal period. What plans would the minister have to overcome that problem if what they are doing is trying to get patients out of their hospital into another hospital which is having equal difficulties? Would he be sitting down with them to discuss this problem?

**Hon. Mr. Timbrell:** Yes, Mr. Speaker, as we do on a regular basis. Again, I have to remind the member of what I said to the hospitals in my speech to the OHA. In the whole process of hospital budgeting, they simply cannot wait until we announce net ministry liability for each hospital in January and then start the process of preparing a budget. Surely, in the operation of programs and buildings which account for \$2.25 million, it is reasonable for me to expect that hospitals are working now on their 1981-82 budgets. When we give them their budget figures in January, I'm sure they will already have indicated to us any unforeseeable, unmanageable trends in utilization in their hospitals so that we may try to take account of those.

Certainly we will have their budgets by the end of March and not, as has become the case in the last couple of years, from May until September. This is so far into the fiscal year that it makes it very difficult for us to budget for them properly.

10:30 a.m.

## LIQUID INDUSTRIAL WASTE

**Mr. Cassidy:** I have a new question for the Minister of the Environment arising out

of Walker Brothers Quarries Limited in Thorold. This week the southwestern director for the Ministry of the Environment, in response to a reporter on the site of Walker Brothers quarry, said he had no idea whether it could contain anything and specifically no idea whether or not it contained drums of chlorinated biphenyls, hydrocarbons or PCBs. He also said that should a dig for the drums take place, the minister would probably go as far as checking one representative drum.

In view of all of the problems that have been connected with that quarry, will the minister undertake that the digging will be continued in the quarry until there is an assurance there are no toxic materials in that quarry which could pose health hazards to people in the surrounding communities?

**Hon. Mr. Parrott:** Mr. Speaker, indeed we will. That was the whole purpose of the letter to the firm. I made it very clear in the letter that we wanted to be able to give that assurance to the communities.

**Mr. Cassidy:** Supplementary, Mr. Speaker: If that is the whole purpose of the ministry's policy, can the minister explain why the engineer for the ministry in Welland said the search may be curtailed by ministry officials in Toronto? Could he explain why it is that while he tells the Legislature that everything will be done to find out what is in the drums, his own people on the site are saying they will look at one drum out of the hundreds that are known to have been illegally dumped down there? What exactly is going on in Walker Brothers quarry and why can the minister not get a handle on the problem?

**Hon. Mr. Parrott:** Mr. Speaker, indeed we do. They are searching for those drums. I think they are searching for more than drums. They are searching for the tankers. I understand they have an excellent idea now where those tankers are and will be testing them. For the person in question to say he knew what was in there without testing would have been a very foolish statement. Of course he does not know. That is the whole purpose of finding them and testing them, and we will test them.

**Mr. Cassidy:** Just one drum?

**Hon. Mr. Parrott:** We will test a number of drums. We will certainly start with one. We will test the number of drums required. It is that simple. We will find out what is in them. That is the easy answer, the quick obvious one.

**Mr. Swart:** Supplementary, Mr. Speaker: Do I understand correctly that the minister is

giving a commitment to this House that all of the drums will be dug up and will be tested?

**Hon. Mr. Parrott:** We will find a large number of drums.

**Mr. Swart:** Answer yes or no.

**Hon. Mr. Parrott:** I am not going to answer the question yes or no, Mr. Speaker. The member made the same mistake yesterday unfortunately. You do a leach test on certain materials and the results of that test of that particular material are known. You cannot test grain by grain. How often can you apply a test, and to what size or quantity? You do an obvious test of the material and, if that proves to be satisfactory and the material is all the same, obviously then that test stands and is the test for the material. That would seem very reasonable. Having done that test on those barrels, if they contain the same material, then that proves or disproves whether there is a problem or not. You take a drum and test it. If it indicates there needs to be more testing, then you do so, but you cannot go to every site and test every grain that is in every site. It is a physical impossibility and it makes no sense.

I give members this commitment—and it is unconditional—we will do the amount of testing required to say to them, and to the community as well, that it is safe or it is not safe. It is that simple. I do not know what more anyone would ask of a reasonable person.

**Mr. Cassidy:** Mr. Speaker, I won't pose another question to one drum Harry, but that is what he seems to be doing.

**Hon. Mr. Parrott:** That was not the response and we should recognize that it was not the response. I said I would test the number of drums required. I do not think it is quite fair to make that point.

**Mr. Cassidy:** How can the minister have a supplementary answer when I didn't put a supplementary question?

**Mr. Speaker:** It is quite obvious that people hear what they want to hear. I will hear a new question from you.

#### WORK INCENTIVES PROGRAM

**Mr. Cassidy:** Mr. Speaker, I have a new question to the Minister of Community and Social Services about the failure of the government to provide adequate opportunity for women on family benefits to get back into the work force.

Will the minister explain what the incentive is under the work incentives program that was launched this year, the Win pro-



gram, for Elsa Rayner of Dundas, Ontario, who is a sole-support mother with a couple of teenage children? She has been receiving \$7,006 a year in income on family benefits and would receive \$6,800 a year after work expenses if she accepted the full-time job she was offered at the minimum wage last June, but she would get just under \$9,000 a year if she stayed on family benefits and worked part-time. What is the incentive for that particular sole-support mother to go back and work full time in the work force when financially she would be worse off rather than better under the minister's Win program?

**Hon. Mr. Norton:** Mr. Speaker, I think the appropriate thing to do, which I am sure the honourable member would recognize, is that if he wants to discuss the specific dollar figures in the case of a specific individual, he might submit those to me and I would respond to him when I have had an opportunity to examine them more closely. I cannot confirm at this point whether the figures he is using are correct, either as they apply to work incentives or to the particular earnings of the individual. I would be quite happy to have a further look at that if he would submit them to me.

**Mr. Cassidy:** Supplementary: If the work incentives program or the minister's efforts to get women on family benefits back into the work force are so effective, can the minister explain why it is that after 10 months, fewer than one per cent of the family benefits recipients in the province have gone back to work under the Win program? Can he explain as well how it is that, whether they stay on family benefits or go back to work under the Win program, the income of a family benefit recipient is still far below the poverty line for Ontario, which in the case of Mrs. Rayner would be \$11,000 a year?

**Hon. Mr. Norton:** I know of no poverty line that has been established and generally accepted for Ontario; so I do not know what figure the member is quoting.

I would indicate that it is always possible if the member chooses to try to construe things in the worst possible light. I think it would be worth while for the member at least to try to put a slightly positive perspective upon things once in a while.

I would suggest that he bear in mind when we introduced this program in January of this year we indicated we would regard it in its first year as having been very successful if 1,000 individuals chose to move into

full employment on this program. In fact, by the month of July we had already exceeded that number. As we learn from the development of this program and from its implementation, we will continue to make improvements. I expect to be making some announcements of that nature within the next three or four weeks.

**Mr. McClellan:** Supplementary, Mr. Speaker: I wonder if the minister has decided yet whether the Win program is going to terminate for individuals after two years or whether the meagre incentives under the Win program will be allowed to continue after two years in the work force. In the case of the example we have cited here, will even that miserable underpinning be withdrawn after two years?

**Hon. Mr. Norton:** I think it is a little early to make a final determination on that. I have indicated on other occasions that I am keeping an open mind. I think it will depend in large part upon the two-year experience of the people who are on the program, not upon the member's haranguing or the worst possible perspective he might possibly be able to imagine.

#### ONTARIO WORLDAIR

**Mr. Cunningham:** I have a question for the Minister of Transportation and Communications relating to the difficulties experienced by Ontario Worldair.

10:40 a.m.

Yesterday in the House, the Minister of Industry and Tourism (Mr. Grossman) indicated that all experts questioned on the matter were dubious about whether or not the company could survive. Is the minister aware that this morning on CBC Radio the president of Price Waterhouse, the receivers in this situation, stated that Ontario Worldair has potential and they are trying to keep it afloat?

In view of the fact that 170 jobs are at stake and that Ontario really lacks a significant air carrier here in Ontario, although there is some doubt about that, what positive action might the minister take? Would he involve himself in some discussions with the cabinet to see that everything possible is done to save this valuable Ontario company?

**Hon. Mr. Snow:** Mr. Speaker, I have not had any direct contact with Ontario Worldair for several months. In fact, I would say it is a year to 15 months ago since I last had a visit from any representative of Ontario Worldair. Any negotiations that have been going on with that company have been through

the Ministry of Industry and Tourism. If I hear from them, I will certainly be prepared to meet with them.

**Mr. Cunningham:** Could the minister possibly explain the contradiction that seems to exist here? The Minister of Industry and Tourism suggests that the company is not viable and has no future, while the president of Price Waterhouse, the receiver in this situation, says the company has potential and could survive. Price Waterhouse is doing everything it can to see that it stays afloat and those 170 jobs are maintained here in Ontario. What is the Minister of Transportation and Communications going to do about this? Can he do anything? What is his job?

**Hon. Mr. Snow:** As I say, I have not been directly involved. The member obviously has received two opinions. Any two people have different opinions on a great many subjects.

#### PROPERTY TAXATION

**Mr. Grande:** Mr. Speaker, in the absence of the Minister of Intergovernmental Affairs (Mr. Wells), I would like to ask a question of the Premier. This is regarding the high property taxes we are paying in the borough of York. The people of that borough are paying the highest property taxes in Metro Toronto—\$100 more than their neighbours in North York. Two major royal commissions on Metropolitan Toronto have made recommendations to this government suggesting solutions to the financial problems in the area, but this government refused to accept those solutions.

The former Treasurer, Darcy McKeough, made a promise on behalf of the government to the people of York that the problem would be addressed, but as of today nothing has happened. In view of all this, what explanation does the Premier have for the 3,456 taxpayers in the riding of Oakwood who are demanding that this government provide special grants to keep property rates for local services on the same level as those of other municipalities in Metropolitan Toronto?

**Hon. Mr. Davis:** Mr. Speaker, I am delighted the honourable member sent me these petitions from his constituents. He will understand if I don't go through them all individually or reply to them individually.

**Mr. Foulds:** Why not? The Minister of Health (Mr. Timbrell) tried to.

**Hon. Mr. Davis:** I might decide to try, but that would upset the local member.

Interjections.

**Hon. Mr. Davis:** Mr. Speaker, I know it is Friday morning, but here is a two-minute questionnaire from the Confederation Fund, addressed to a member of the PC Association. It is a dandy. Do the members want me to read it out?

Interjections.

**Mr. Speaker:** Order. It really has nothing to do with ratepayer petitions from some borough down here.

**Hon. Mr. Davis:** Mr. Speaker, I agree. But the Leader of the Opposition really leads with his chin just about every Friday morning, and I just couldn't restrain myself.

**Mr. S. Smith:** I hope you're going to make a donation.

**Hon. Mr. Davis:** Has he read some of the questions? They are dandies.

I also sense from the tone of the member's question that he and his party have now come around to supporting totally the whole concept of market value assessment.

**Mr. McClellan:** Nonsense! You know that is nonsense.

**Hon. Mr. Davis:** Oh, come on. That is what he is suggesting. He referred to the two reports of the former Treasurer. I just want the member to go on the record as saying that the New Democratic Party of Ontario now supports market value assessment across all of Metropolitan Toronto and the surrounding communities. That is really what he is saying.

**Mr. Grande:** Mr. Speaker, the Premier can understand what he wishes from the question. My question was very specific to the borough of York, that particular part of Metropolitan Toronto that in the past 15 years has experienced financial problems. The government has tried through two royal commissions to attempt solutions but it has not accepted them.

My supplementary question to the Premier is that he owes the people of the Borough of York \$6 million for the last two years. When is he going to pay that debt?

**Hon. Mr. Davis:** Mr. Speaker, I have my American Express credit card with me but the limits are far less than \$6 million.

**Mr. Swart:** About one million.

**Hon. Mr. Davis:** It does not even come close to that.

As I recall those two reports, part of the solution contained in them did relate to market value assessment. Is that not a fair statement? Is it also not fair to state that the



NDP, as a matter of policy, has been less than enthusiastic about that solution? I think it was quite fair for me to get the implication from the member that his party is now in support of it.

Of course the government is concerned about the residents of the borough of York. We have worked very hard to assist in solutions to some of their problems and we will continue to do so.

**Mr. Warner:** Pay up or resign.

**Hon. Mr. Davis:** I heard that. After last night, the member should not challenge anybody.

### ONTARIO SCIENCE CENTRE

**Hon. Mr. Baetz:** Mr. Speaker, I now have a report for the member for Beaches-Woodbine (Ms. Bryden) with regard to her question about alleged sexism at the Ontario Science Centre.

I am advised that as soon as Miss Gina Wirtenberg's letter was published in the Toronto Star, the staff, and particularly the women members, were canvassed and did not agree that there is an excessive degree of sexism in virtually all the films and displays at the Ontario Science Centre.

The centre does not have a large capacity to produce films and has to choose from what is available. It so happens that three of the four members of the staff most concerned with science films at the centre are women. Miss Joanne Vano has charge of the science film library and chooses films for showing. Miss Penny Crompton MacKay's film, *Space Time and Albert Einstein*, is at present being shown at the centre and won the highest award last year at the Tokyo Science Film Festival. Miss Lorraine Dumoulin appears extensively in the only film produced recently at the centre and is also the narrator.

Furthermore, the centre has suggestion boxes posted throughout labelled *Tell Us What You Think*. Of the many responses received, not one has ever criticized the centre for sexism. My ministry's women's adviser also visits the Ontario Science Centre regularly and has never expressed the view that the centre is sexist.

While I am on my feet, I may as well admit to one thing, however, to avoid future questions about sexism at the centre. I must admit that the enormous whale now being assembled in the centre of the Ontario Science Centre is a male. I would like to point out that should people have a specific matter which they feel needs changing, the

staff at the centre would be most pleased to discuss it with them.

**Ms. Bryden:** Mr. Speaker, I think the minister has missed the point of my question. I was not asking whether he has some women on staff or whether some women have appeared in films. I was asking him to make a complete survey of all the material, all the films and all the displays as to whether there is an excessive use of the gender him instead of her, whether there is an excessive number of male voices overall or whether there is an equal distribution of male and female voices, characters in the films, exhibitors and so on.

The minister is simply picking out a few cases where women appear and he asks the staff whether they are satisfied or not. We want an independent survey.

10:50 a.m.

**Hon. Mr. Baetz:** Mr. Speaker, I will take that further comment under advisement and discuss it with the staff at the Ontario Science Centre. Three of the four who are involved in this are women.

### LAND ASSEMBLY

**Mr. Peterson:** Mr. Speaker, I draw the Premier's attention to an article in this morning's Toronto Star which says "There's no question that South Cayuga was not needed and a waste of money. It was plain bloody incompetence by John White," said Eric Grove, now retired, who was assistant director of the Haldimand-Norfolk study. 'The fact that he could get away with it astonished me,' said the other man, still a senior civil servant, who has asked that his name not be used."

Is the Premier prepared now to stand up and tell the truth and to admit it was a complete mistake and incompetence by his government which he sanctioned?

**Hon. Mr. Davis:** Mr. Speaker, I am always prepared to stand up in this House and tell the truth. The answer to that is yes, I am prepared to do that.

**Mr. Peterson:** Is the Premier prepared to stand up and admit that South Cayuga was—and I go on quoting from the article: "A minister doesn't usually spend millions of dollars off the top of his head. Quite frankly, I think it's a scandal."

Does the Premier agree with those senior civil servants that the South Cayuga purchase of land was a complete scandal, a waste of money and reveals the complete incompetence of his government in this area?

**Hon. Mr. Davis:** Mr. Speaker, I do not believe it was a complete scandal in any sense of the word.

**Mr. S. Smith:** It was not a perfect scandal; nobody is perfect.

**Hon. Mr. Davis:** There may be some hope for the Leader of the Opposition yet. He has always represented himself around this province as being perfection personified. I sense today he is feeling a little humility. Perhaps he has been to Carleton and that is why he is feeling humble.

I would only say to the honourable member that one can question matters of judgement. I have no quarrel about that. I do not happen to agree with the phraseology used by a former member of whatever task force it was.

**Mr. Peterson:** Two senior civil servants.

**Hon. Mr. Davis:** I thought one was a member of the task force and the other was not. I am only going by what the member said. Were both members of the task force?

**An hon. member:** He just read it.

**Hon. Mr. Davis:** The member for London Centre just read it but he does not know; that is the story of his life.

#### PCB SPILL AT SCHOOL

**Mr. Foulds:** Mr. Speaker, I have a question for the Minister of the Environment. Has the minister received the report on the PCB transformer rupture and spill at Isabella Street School in Thunder Bay on Wednesday, October 8 at approximately 3:40 p.m.?

Can he explain two apparent discrepancies. First of all, can he explain why Thunder Bay Hydro did not notify the Ministry of the Environment until eight o'clock the following morning. Can he further explain why the Ministry of the Environment did not notify the school officials until three o'clock that afternoon? If there had been a danger from PCB in the air, those children and the staff at the school were in that position for some considerable number of hours. Can he tell us what steps his ministry is taking to remedy that kind of situation so there is immediate notification when there is such an incident?

**Hon. Mr. Parrott:** Mr. Speaker, with reference to the first part of the question, which is why did they not report to us immediately, obviously I cannot answer that part of the question. They did not—that is correct—and we were not pleased. I think they are now well informed.

I suspect the member knows that at the public meeting held on this particular problem

it was made very clear at that time that there is a very direct responsibility to notify our ministry quickly. I think it is true to say they notified other people, but not our ministry.

**Mr. Foulds:** No. They did not notify anybody until eight o'clock the next morning.

**Hon. Mr. Parrott:** I think they did, but they did not notify our ministry immediately. That was an error on their part, pure and simple.

With regard to why our staff did not deal with the item by going to the school officials, I think the member would agree, and I think the public meeting made this very clear, we made a very thorough investigation immediately. We saw that a very small amount of PCB material was on the ground and was not a hazard to the school. We wanted to check to make sure that was unconditionally so, but I think the member will agree with these facts. It was a small quantity that was on the ground. The problem was whether or not that would get into the food chain. Of course, the answer to that is to clean it up quickly, and that had been done. We also took the precaution of barricading the area so no one could get close to it and be in any danger.

The monitoring in the school was an added precaution, but the staff did indeed respond not only appropriately but more than adequately.

**Mr. Foulds:** Supplementary: Can the minister explain why there was not equipment available in Thunder Bay and northwestern Ontario to test adequately as soon as the ministry was notified? He had to get equipment from Toronto and test over the weekend when, of course, the air sample quantities would have dissipated. Can he tell me why the recommendations in the occupational health and safety branch of the Ministry of Labour position paper of 1978 had not been implemented by his ministry? Why have those PCB transformers not been identified on the outside so people are aware of them? Why has he, as the minister, not had an inventory of public and privately owned PCB transformers?

**Hon. Mr. Parrott:** There are so many questions there, Mr. Speaker, that I do not know where to start. We certainly do have an inventory.

**Mr. Foulds:** The minister did not know about this one.

**Hon. Mr. Parrott:** I think the question was asked on the Order Paper. We put out a great deal of information about the amount of PCB material both in the private and public sector.



**Mr. Foulds:** The minister did not know about this one until after it happened.

**Hon. Mr. Parrott:** Mr. Speaker, perhaps what the member fails to understand is the difficulty of measuring these very minute quantities.

**Mr. Foulds:** Answer the preventive measures question.

**Hon. Mr. Parrott:** I will come to that. It takes a good deal of effort to set up what we call the TAGA 3000 machine. I might tell the member that no other jurisdiction has such a thing. There is no other jurisdiction in Canada which would be able to measure those. It is extremely difficult to set that machine up. There are many different phenols that must be screened out. We are very fortunate to have such a delicate machine here in this province. It is not something that can be in every location because of the sensitivity required in measuring those very minute quantities. I think we have to do those samplings, not with TAGA but with the other machines. It is a very complicated and difficult task to administer.

In the last part of his question the member asked about preventive measures. He should be aware that we are making every effort to identify where they are and that we want to have those in storage in a very safe place. There is a proposal to do so. There is an even better proposal—that we destroy them. There have been all kinds of efforts made by this government to identify them and make them secure. We have written all kinds of letters to those people to make sure they are aware of our concerns.

**Mr. McGuigan:** Supplementary Mr. Speaker: Would the minister agree it would be a rather wise precaution to put a notice on every transformer saying if there is a leak of the transformer the ministry should be called? Then he could determine at that point whether or not PCBs in the coolant in the transformer were leaking.

Is the minister aware of the case—I think it was in Billings, Montana—where a leak got into some chicken fat which later got into feed? They traced it into British Columbia. The final cost of tracing all of that feed and the contamination—a relatively few dollars to begin with—ended up at \$10 million. If he is considering the cost of that, then he should consider the cost of tracing these materials if, for instance, they should get into a food situation.

**Hon. Mr. Parrott:** We have made it very clear to Ontario Hydro that they must know

where their materials are. A good many transformers do not contain PCBs. We think it is extremely important that people who own those transformers clearly know what is in them. They must be prepared to deal with any emergency on all occasions.

11 a.m.

I remind the House that our program to destroy them is, of course, the important thing that we are trying to do. We will either store them securely at a specific site or we are going to have them destroyed. In the meantime, there is no alternative but to leave them on site. If the member wants them identified—and I think most of them are—I will follow up on that and see they are identified.

#### INVESTMENT COMPANIES' FAILURE

**Mr. Bradley:** Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations with respect to Astra Trust and Re-Mor Investments Corporation, notwithstanding what transpired in the House earlier this week.

On Tuesday the minister stated to this House and to the more than 300 individuals who have lost, many of them, their life savings that his ministry was not negligent in the issuance of a mortgage broker's licence. The Supreme Court decision stated the following, and I will quote very briefly from it:

"Indeed, it would not be going too far to say that the evidence suggests that Mr. Montemurro dealt with the funds of the respondent"—that is C and M—"comprising the investments made by various individuals as he would have dealt with his own money and without being, in any way, inhibited by the fact that they were company moneys received by that company in the course of the transaction in which the investor thought he was investing in mortgages, and likewise uninhibited by his"—and this is an interesting word lawyers would know about—"fiduciary obligations. All of the classic indices, which have attended many a previous financial disaster, are present in this case."

In light of that statement by the Supreme Court of Ontario in that judgement, how can the minister justify licensing yet another financial disaster?

**Hon. Mr. Drea:** Mr. Speaker, I am going to have to ask you to indulge me. Because the member was not here last night to hear something I will read it again. The matter to which the member refers was occasioned

by the fact that people thought they could put their faith in the name of Astra Trust. The registration of Re-Mor did not cause the unfortunate events to take place. The ripoff was executed in the Astra Trust offices by people in Astra Trust purporting to have investment opportunities in Astra Trust ventures, and I daresay, through a sin of commission or omission causing the Canada Deposit Insurance Corporation to be dangled as the selling feature.

**Mr. S. Smith:** Very funny. It is not funny to those hundreds of people who have lost their life savings, and it is because you licensed it.

**Mr. Speaker:** Order. The Leader of the Opposition does not have the floor.

**Mr. S. Smith:** The minister should talk to these pensioners who don't have a penny left.

**Hon. Mr. Drea:** Easy, boy.

**Mr. Speaker:** Do you have anything further to add?

**Hon. Mr. Drea:** What I was attempting to do before I was rudely interrupted—

**Mr. S. Smith:** Ah!

**Hon. Mr. Drea:** I am a nice guy. Why don't you be quiet?

**Mr. S. Smith:** We have to talk to those people every day.

**Hon. Mr. Drea:** Oh, play in another corner someplace else.

**Mr. Speaker:** Order. Do you have anything further to add?

**Hon. Mr. Drea:** Mr. Speaker, since you were here last night, I think you understand what I am attempting to do.

The member for Hamilton Centre (Mr. M. N. Davison) on Tuesday said he was not satisfied with my answer, which flowed from a question from the member for St. Catharines (Mr. Bradley). One would reasonably have thought that if the member for St. Catharines had further concerns about the answer I gave on Tuesday he could have been here last night when I read a rather detailed statement into the record.

I will stand by my answer of October 10, which I referred to last Tuesday. If the member is dissatisfied with that, Mr. Speaker, I will read further from the remarks I made last night after 10:30 p.m.

**Mr. Bradley:** Supplementary, Mr. Speaker: I have those remarks and I was basing my question on the actual judgement that had been rendered as opposed to what the minister had said previously. That is why I was

quoting from what the judgement said about all the indices indicating that there was a financial disaster. I will ask my supplementary question, because a number of people have asked members of the Legislature about this—

**Mr. Speaker:** Place your supplementary question.

**Mr. Bradley:** The following is my supplementary question: Is there any relationship between Mr. Weinstein leaving his position and this particular incident, because there are many people who are saying it was directly related to this incident?

**Hon. Mr. Drea:** Be careful.

**Mr. Bradley:** I am asking the minister that. I am being as careful as I want to. He can be careful. I am asking the questions. I put that in a very moderate tone and made no accusations. People are asking that question of members of the Legislature.

**Hon. Mr. Drea:** Mr. Speaker, I want to make it perfectly plain, and wanted the member to be very careful, because Mr. Weinstein had a very long and distinguished career as a public servant. Mr. Weinstein retired because he was of retirement age. He retired on the date he was supposed to, whether or not one of his decisions had become a question of any controversy. I would expect the member to convey that to anyone who asks.

**Mr. Cunningham:** Supplementary, Mr. Speaker: What circumstances have changed from the opposition by the province to the original Astra licence in 1975 to the granting of the Re-Mor licence only last year, in view of the fact the personnel are the same?

**Hon. Mr. Drea:** Mr. Speaker, the registration requirements by the province for a trust company, or even a loan company, are far more substantial than those for a mortgage company. Even a cursory reading of the legislation and the various administrative codes that cover varying types of financial institutions show that for trust companies and loan companies the requirements are very substantial. They require almost daily monitoring provisions and so forth. There is quite a significant degree of difference.

The chartering of a trust company is not a right in law. As I explained last night, a refusal is not appealable. A registration as a mortgage broker is a right and denial is appealable to the Commercial Registration Appeal Tribunal.

I could go on at some length as to what the differences are. Perhaps if I communi-



cated in writing to the member he might want to ask something at a future time.

**Mr. Cunningham:** You should have denied them as unfit.

**Mr. Speaker:** Order.

#### WELLINGTON MUSHROOM FARM

**Mr. Mackenzie:** Mr. Speaker, I have a question of the Minister of Labour. Back on May 30, I asked him what he would do about the injustice involved in terms of the workers at the Wellington Mushroom Farm. They had overwhelmingly signed up for union membership but had been denied certification in a board decision, where the board clearly indicated that the act was inadequate and that an injustice was occurring. In its comments the board said, "We accept the applicant's contention that there is no industrial relations basis for denying the respondent employees the right to bargain collectively."

I note that the minister also met with the union involved on June 18 and promised them he would look into it. Can the minister tell me if there is going to be any action to see that these workers do have the right to free collective bargaining in a factory situation? Or are we going to wait until they have gone down the tube?

**Hon. Mr. Elgie:** Mr. Speaker, the member is correct; we did meet with representatives of the trade union that was endeavouring to organize that mushroom factory. Frankly, it was suggested that they should give consideration to appealing to the divisional tribunal. They have not chosen to take that advice. With due respect, I would suggest there is still not yet a final and binding determination on that matter since it has not been taken to the tribunal.

Having said all that, I am sure the member understands the reason this government has felt that farming matters in particular should not be part of the Labour Relations Act. It may be there are certain matters and certain practices in the farming community that are changing. I undertook at that time to look into it, and we are doing so.

**Mr. Mackenzie:** Supplementary: That is simply not good enough. They are right next door to the soup factory with the same kind of a punch clock operation, the same hours, the same conveyor belts and the same operation. Surely the minister will take a look at the injustice of this situation and see to it that the workers do have the right to free collective bargaining in this province.

**Hon. Mr. Elgie:** Mr. Speaker, not to be repetitious, I have indicated that the trade union representatives who met with me have chosen for some reason not to pursue this to a final determination. I have also indicated to the member the reasoning behind the government's view about farming. I have indicated there may be some changes that require review and I am prepared to review them.

11:10 a.m.

#### SOUTH CAYUGA LAND DRAINAGE

**Mr. G. I. Miller:** Mr. Speaker, I have a question for the Premier. There were 12,000 acres of land bought in 1974 for a city of the future along the valley of the Grand River and the shores of Lake Erie. This land is class 1, 2 and 3 agricultural land in a high heat unit area and where irrigation is very practical and possible. I read a report in the *Globe and Mail* of October 27, 1980, which said 200 farmers in the South Cayuga area received hand-delivered letters last Friday telling them the government would start studies of water drainage in their fields in about three weeks. Is this improvement in drainage for agricultural purposes?

**Hon. Mr. Davis:** Mr. Speaker, I really do not know, but I will find out for the member for Thursday next in that he will not be here Monday or Tuesday, and the House does not sit Wednesday, I will have it for him on Thursday.

#### LIQUID INDUSTRIAL WASTE

**Mr. Swart:** Mr. Speaker, yesterday I asked the Minister of the Environment a question relative to liquid waste in bore holes in the east quarry of Walker Brothers which is entirely separate from the licensed waste dump. He committed himself to giving an answer today. No answer was given. Would you intervene to see he does give an answer to this House?

**Hon. Mr. Parrott:** I will be glad to discuss this matter with the member outside the House if he likes. I tried to get that response for him this morning, but I have not been able to do so. I could say to you, Mr. Speaker, he quoted from a report that will be part of the environmental assessment process. That will be tabled at the hearing and an answer in full will be given at that time. It would be his right to be there and I would assume he would be there. I can give him an earlier response, but I was not able to get that information this morning. I will make a re-

sponse in the House. As you will recall, Mr. Speaker, it was a very long question and the information is not all available at this time.

### TORONTO ISLAND HOMES

**Mrs. Campbell:** Mr. Speaker, I am sorry the Premier would not wait for my point of privilege and the Minister of Intergovernmental Affairs (Mr. Wells) is not present to hear the point of privilege. I trust the Deputy Premier will give some attention to the matter.

On November 4 in this House, there was considerable questioning of the Minister of Intergovernmental Affairs concerning the matter of the eviction notices to the Toronto islanders. While he characterized the position of Metro as inhuman, he nevertheless stated in this House, and I quote from Hansard: "I will report to my friends what is going to happen on Thursday." He had earlier referred to his friends in the official opposition, so I do not think we need to concern ourselves about his definition of friends.

We will not be sitting in this House until Thursday of next week, as the Premier has indicated. The effective date of the eviction is November 17. I am merely rising on a point of privilege to ask if somebody is going to be able to tell me now what is going to be done about the islanders.

The statement was clear: "I will report on Thursday." No report has been made. Who is going to tell this House what the decision of this government is? It is an urgent matter.

**Hon. Mr. Gregory:** Mr. Speaker, as the member is aware, the Minister of Intergovernmental Affairs was not here yesterday—

**Mrs. Campbell:** Nor today.

**Hon. Mr. Gregory:** —nor is he here today. The matter is under consideration and the question of the member will be answered in due course.

**Mr. S. Smith:** Mr. Speaker, on the same point of privilege—

**Hon. Mr. Gregory:** Mr. Speaker, is question period over?

**Mr. S. Smith:** It is not a question. There was a promise made that there would be a report and there is not enough time—

**Mr. Warner:** Mr. Speaker, it seems to me that a minister of the crown has made an unequivocal statement, where he has said he will do something and has specified a date. Then when this House is not informed on that date, the minister has broken the rules of the House. I would, therefore, ask that the

Speaker direct that there be a statement from this government before this House rises today.

**Mr. S. Smith:** On the same point of privilege—and I know the dilemma this puts you in, Mr. Speaker, about what is really a point of privilege and what is not—I ask you to consider that every member of cabinet could easily stand up and say, "I will answer your question tomorrow" or some other time; or he could say, "I will report to this House on this urgent matter on such and such a date."

We could find ourselves in a situation where every question we ask during the limited time we have available has to be, "What about it? How come you did not make the statement?" The entire question period could be occupied with that kind of thing. We have to depend—I ask you to consider this—on the ministers keeping the undertakings they make in the House.

In the present circumstances, the member for St. George has brought up the very good point that we will not be sitting Monday, Tuesday or Wednesday. The eviction notices are effective on the following Monday. We will have only Thursday and Friday to do anything, if we wish to do anything. Therefore, not only have we not been given the statement the minister promised, which in itself is very important, but the implications of not receiving that may be enormous.

I think the member for St. George is saying that in her ability to conduct herself in this House as a reasonable representative of her riding she has to be able to count on the government to follow through when it makes a promise on an important matter. If the government does not have anything to say about this, we are all left totally up in the air wondering if anything is going to be done on a subject on which we were given this promise. We will not know whether we will simply have a wasted week to come.

**Hon. Mr. Gregory:** I cannot add any more to what I have already said, except to say—

**Mrs. Campbell:** You can apologize.

**Hon. Mr. Gregory:** —that during question period, a full hour, I did not hear a question from either opposition party in that regard while the Premier was here. Had a question been asked of the Premier, I am quite sure he would have been willing to comment.

Interjections.

**Mr. Breithaupt:** One hour? Is that all he sits in the House? He cannot sit two more minutes? Two more minutes is all it would have taken.

**Mr. Speaker:** Order. The member for Welland-Thorold got up on what he thought



was a point of privilege because of an undertaking by the Minister of the Environment to answer a question today. The minister got up and said he had made every attempt to get the information; it was not forthcoming and, as soon as it was, he would share it with the member for Welland-Thorold.

Now three members have got up and have taken umbrage with the fact that the Minister of Intergovernmental Affairs was to report on the Toronto Islands situation. He is not here to do it.

**Mrs. Campbell:** Nor has he been here today.

**Mr. Speaker:** All right. He is not here to do it. You are really placing me in an invidious position in insisting that I command members as to where they should be at any given time. I am simply not prepared to do that. You have made your point. I am sure when an answer is available it may be communicated to the House.

#### NOTICE OF DISSATISFACTION

**Mr. Foulds:** On a point of privilege, Mr. Speaker.

**Mr. Speaker:** Is it really a point of privilege?

**Mr. Foulds:** An entirely different one. Like George Bernard Shaw, I have a point of privilege that is pleasant and one that is unpleasant. My unpleasant one is my dissatisfaction with the answer by the Minister of the Environment. I am giving notice in the House, having filed with you under standing rule 28(a).

**Mr. Speaker:** Notice has been given by the member for Port Arthur of his dissatisfaction with a question asked earlier of the Minister of the Environment. This matter will be debated at 10:30 next Thursday evening.

#### FINNISH NEWSPAPER

**Mr. Foulds:** With regard to my point of privilege that is pleasant, Mr. Speaker, it is my privilege to represent in this Legislature the largest Finnish-speaking population outside of Finland itself—the Finnish community in Thunder Bay. On November 11, the Canadian Uutiset, the oldest Finnish-language newspaper in Canada, will be celebrating its sixty-fifth anniversary. That newspaper has served its readership with dedication and distinction and has proven that a nationally distributed magazine can publish and

originate in northern Ontario. I would like the Legislature to join me in wishing it well.  
11:20 a.m.

**Mr. Speaker:** Motions.

**Mr. S. Smith:** I have a motion, Mr. Speaker. Given the fact that the Minister of Intergovernmental Affairs is not here to keep his commitment and that the entire matter of the islands will be left in total confusion and limbo for a week, since we are not going to be here until next Thursday, I move the adjournment of this House. Find the minister or find someone who can make a statement.

**Mr. Speaker:** You are out of order.

**Mrs. Campbell:** On the motion to adjourn?

**Mr. S. Smith:** In moving the adjournment of the House or the motion to adjourn?

**Mr. Speaker:** The motion is out of order because I was on my feet when you interrupted.

**Mrs. Campbell:** Well would you sit down to entertain the motion?

**Mr. Speaker:** No; if the member for St. George would read the standing order, a motion to adjourn is not in order until we have reached orders of the day and we have not reached that point.

#### ANSWERS TO QUESTIONS ON NOTICE PAPER

**Hon. Mr. Gregory:** I wish to table the answers to questions 364, 365, 371 and 374 on the Notice Paper. (See appendix A, page 4196.)

#### ORDERS OF THE DAY

##### MOTION TO ADJOURN

**Mr. S. Smith** moved the adjournment of the House.

**Mr. S. Smith:** I do so because the Minister of Intergovernmental Affairs has not kept a very vital commitment and we are all to be left in total limbo as to what the Toronto islanders' situation is with only Thursday and Friday of next week to deal with this important matter. I move the adjournment of the House. Find the minister or find someone else who can tell us what is going on.

The House divided on Mr. S. Smith's motion for adjournment of the House, which was agreed to on the following vote:

Ayes 34; nays 23.

The House adjourned at 1:03 p.m.

## APPENDIX A

(See page 4195)

### ANSWERS TO QUESTIONS ON NOTICE PAPER

#### USE AND STORAGE OF PCBs

**364. Mr. Isaacs:** What is the status of the preparation of the environmental assessment for the Middleport PCB storage facility? When will the report be completed? Is there any tentative schedule for the hearing? (Tabled October 23, 1980.)

**Hon. Mr. Parrott:** Additional work has been completed on the actual selection of a site at the Middleport location and it will now be necessary to complete the detailed assessment documents for that site. The consultant estimates this will require three to six months allowing for the preparation of a draft and a short preliminary review by the ministry.

On this basis, I would estimate the assessment documents would be formally submitted in the spring of 1981.

There is no tentative schedule for a hearing but formal requirements of the assessment program usually mean a minimum time frame of six months from the date the documents are submitted before a hearing can be held.

**365. Mr. Isaacs:** Will the minister table a list of the locations and quantities of all PCBs currently in Ontario? (Tabled October 23, 1980.)

**Hon. Mr. Parrott:** The distribution of PCBs currently in Ontario is contained in an

inventory compiled and maintained by the Environmental Protection Service, Environment Canada. The information for the inventory was submitted voluntarily to Environment Canada on the understanding it would remain confidential.

More than 6,000 pieces of equipment containing PCBs are identified at approximately 2,000 locations by approximately 1,000 owners. This information may be reviewed by the honourable member at the ministry's offices at 135 St. Clair Avenue West in Toronto.

The latest summary (August 31, 1979) prepared by Environment Canada indicates the material is distributed as follows: in use, 8,398,073 kg; in storage for disposal, 667,007 kg; total (1979 08 31), 9,065,080 kg. Sheets showing distribution by usage and industry type are also appended.

The major points for storage of material are: D & D (Smithville), 79,600 kg (approximately); Ontario Hydro (Toronto), 34,100 kg (approximately); Canadian General Electric (Guelph), 36,800 kg (approximately).

The material referred to in the federal inventory is fluids containing a significant quantity of PCB. The concentration of pure PCB in such fluids (askarels) may vary from 40 to 70 per cent. The remainder of the solution is a solvent such as tri- or tetrachlorobenzene.

#### SUMMARY OF PCB DISTRIBUTION IN ONTARIO TO AUGUST 31, 1979

Electrical equipment	Units	Quantity of PCB (kg)	Material in storage for disposal	Quantity of PCB (kg)
Capacitors	24,200	618,178		
Transformers	5,544	7,759,028	Bulked liquid	204,764
Total		8,377,206	Contaminated solids	203,620
			Total	408,384
<b>Mechanical equipment</b>				
Hydraulic systems	19	8,964		
Heat transformer systems	13	68		
Vacuum equipment	16	1,690		
Magnets	14	10,145		
Total		20,867	<b>Material in storage for use</b>	258,643
Total PCB in use		8,398,073	Total PCB now accounted for	9,065,100



## DISTRIBUTION OF PCBs IN ONTARIO BY INDUSTRY

Industry	% of total	Transformers (kg)	No. of transformers	Capacitors (kg)	No. of capacitors
Utility	25.18	1,614,781	1,200	495,120	2,073
Steel and iron	19.02	1,582,930	1,004	10,754	1,313
Mining	9.24	758,664	1,188	15,420	2,834
Pulp and paper	9.22	753,183	360	19,298	3,482
Research and educ.	5.68	474,601	262	1,562	451
Automobile ind.	4.58	372,589	203	11,676	2,417
Real estate	4.05	340,005	162	0	32
Federal govt.	3.54	294,955	118	1,823	182
Metal production	2.93	229,050	136	16,476	1,357
Hospitals	2.08	174,833	134	78	20
Food and beverage	1.98	157,001	117	9,581	2,639
Municipal govt.	1.34	109,563	80	3,227	545
Stone, clay, glass and cement	1.24	102,107	42	2,151	227
Communications and multimedia	1.20	100,888	41	0	5
Electrical mfg. and repair	1.13	87,544	199	7,380	2,748
Provincial govt.	1.04	87,948	52	0	0
Electronics	1.03	86,176	27	476	103
Textiles	1.00	88,764	52	570	239
Tire	0.942	76,228	51	2,705	203
Industrial chemicals	0.919	36,613	27	3,809	446
Transportation	0.728	59,186	98	1,867	444
Plastics and resins	0.666	54,473	16	1,364	328
Misc. manufacturing	0.658	48,433	31	6,780	977
Agricultural chemicals	0.295	23,514	16	1,229	234
Chemical specialties	0.271	21,626	11	1,146	607
Petroleum	0.190	12,410	5	3,556	214
Soaps	0.112	9,343	5	79	46
Electrical contractors	0.080	6,620	6	51	13
Paint and varnish	0	0	1	0	10
Total		7,759,028	5,644	618,178	24,200

For 50 per cent of the capacitors and five per cent of the transformers reported, no data about the volume of fluid exists.

## DAY CARE

371. **Mr. Blundy:** Will the Ministry of Community and Social Services provide details of day care supplementary funding arrangements for the regional municipality of Ottawa-Carleton and Metropolitan Toronto including, in each case, the dollars being contributed by the provincial, municipal and federal governments? What proportion of the funding is definitely Canada assistance plan cost-shared; is there any proportion that is not CAP cost-shared and in each funding arrangement what is the amount of money that the ministry will attempt to claim as a reimbursement from the federal government? Under what legislation are funds being made available by the province to Ottawa-Carleton

and Metropolitan Toronto and if the Day Nurseries Act is not the sole piece of legislation being used, why not? Is CAP cost-sharing better guaranteed under the Day Nurseries Act than any other legislation being used for funding in the case of these two funding arrangements? When does the minister expect negotiations for federal cost-sharing in these two cases to be completed? If ministry negotiations are successful in winning federal reimbursement, will the ministry pass these funds on to the two municipalities for expansion of their day care programs? (Tabled October 27, 1980.)

**Hon. Mr. Norton:** 1. Metropolitan Toronto requested reimbursement for a budget overrun of \$340,000. In consideration of this overage an agreement was struck between

Metropolitan Toronto and this ministry that the municipality would cover \$127,500 of the cost and that the remaining \$212,500 would be cost shared in the standard manner. Of this \$212,500, the municipality would be responsible for \$42,500 for a total of \$170,000 or one half of the overrun, and the provincial subsidy would amount to \$170,000. The province will eventually claim \$106,250 from the federal government under the Canada assistance plan as 50 per cent of the cost-shared amount.

The regional municipality of Ottawa-Carleton reported a budget overrun of \$120,000. Through negotiation, this ministry agreed to cost-share \$75,000 of the proposed overage. Of the \$60,000 provincial-federal contribution, the ministry will claim \$37,500 from the Federal Government under CAP.

2. Contributions to Metropolitan Toronto's day care budget overrun by the three levels of government are: the Ministry of Community and Social Services \$63,750; the federal government \$106,250; and Metropolitan Toronto \$127,500 plus 20 per cent of the cost-shared amount, for a total of \$170,000.

The regional municipality of Ottawa-Carleton will provide a total of \$60,000 to meet their overrun, \$15,000 as 20 per cent of the cost-shared amount and \$45,000 to cover the remaining overage. The provincial government will contribute \$22,500 as their share of the cost-sharing agreement and will claim \$37,500 from the federal government under CAP.

It is important to point out that the federal government will cost-share under the Canada assistance plan only expenditures incurred by persons in need as determined by a needs test.

3. Funds for day care are made available to the regional municipality of Ottawa-Carleton, Metropolitan Toronto and all other municipalities under the Day Nurseries Act.

4. As stated above, funding is provided under the Day Nurseries Act.

5. Negotiation for a cost-sharing agreement under the Canada assistance plan with regard to the province's Day Nurseries Act and regulations were ongoing during the development of this legislation to ensure compatibility. A formal submission was made on adoption of the Day Nurseries Act for listing in the schedule to legal agreement under the Canada assistance plan. Funds can be recovered from the federal government under CAP only when this process is completed and not through individual negotiations.

6. Once agreement has been reached with the federal government, the flow of funds is as follows: The municipality claims day care funds from the province based on their expenditure. The province flows funds to the municipality and submits the relevant papers to claim 50 per cent of the total expenditure under CAP. In accordance with government accounting practice, these cost-shared revenues are credited to the consolidated revenue fund.

At no time does the ministry wait for CAP reimbursement before flowing day care funds to the municipality.

#### EXPENDITURES IN ALGOMA

374. **Mr. Wildman:** Will the Ministry of the Environment table the total actual expenditures of provincial funds under all of its various programs which were spent in the district of Algoma in each of the fiscal years 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978 and 1979? (Tabled October 27, 1980.)

**Hon. Mr. Parrott:** I am attaching a schedule which summarizes the \$23,292,800 worth of capital construction and capital and operating grants spent in the district of Algoma over the past 13½ years.



## Capital and operating grants

Year	Capital construction	Regional priorities	Direct grants	Private systems' grants	EPA part 7	Total grants
	\$000.	\$000.	\$000.	\$000.	\$000.	\$000.
1967	606.3					
1968	428.9					
1969	71.7					
1970	83.6					
1971	58.9					
1972	86.6					
1973	1,842.4					
1974	4,431.2					
1975	2,762.7				12.2	12.2
1976	1,758.4				26.3	26.3
1977	2,226.9	755.9			44.9	800.8
1978	2,052.9	2,643.2		2.4	65.7	2,711.3
1979	1,130.9	1,162.6	252.7	31.6	71.3	1,518.2
1980	271.5	143.3	15.5	199.9	52.4	411.1
(to Sept. 30)	17,812.9*	4,705.0**	268.2	223.9	272.8	5,479.9

\* Provincial assistance allocated to completed provincial projects amounted to \$9.75 million.

\*\* Regional priority water and sewage projects constructed by the Ministry of the Environment and funded by the Ministry of Northern Affairs grant program.

## APPENDIX B\*

ALPHABETICAL LIST OF MEMBERS OF THE  
LEGISLATURE OF ONTARIO

(124 members)

Fourth Session of the 31st Parliament

Lieutenant Governor: Hon. John B. Aird, OC, QC

Speaker: Hon. John E. Stokes

Clerk of the House: Roderick Lewis, QC

Member	Constituency	Party
Ashe, G. ....	Durham West .....	PC
Auld, Hon. J. A. C. ....	Leeds .....	PC
Baetz, Hon. R. C. ....	Ottawa West .....	PC
Belanger, J. A. ....	Prescott and Russell .....	PC
Bennett, Hon. C. ....	Ottawa South .....	PC
Bernier, Hon. L. ....	Kenora .....	PC
Birch, Hon. M. ....	Scarborough East .....	PC
Blundy, P. ....	Sarnia .....	L
Bolan, M. ....	Nipissing .....	L
Bounsall, E. J. ....	Windsor-Sandwich .....	NDP
Bradley, J. ....	St. Catharines .....	L
Breaugh, M. ....	Oshawa .....	NDP
Breithaupt, J. R. ....	Kitchener .....	L
Brunelle, Hon. R. ....	Cochrane North .....	PC
Bryden, M. ....	Beaches-Woodbine .....	NDP
Campbell, M. ....	St. George .....	L
Cassidy, M. ....	Ottawa Centre .....	NDP
Charlton, B. ....	Hamilton Mountain .....	NDP
Conway, S. ....	Renfrew North .....	L
Cooke, D. ....	Windsor-Riverside .....	NDP
Cunningham, E. ....	Wentworth North .....	L
Cureatz, S. ....	Durham East .....	PC
Davidson, M. ....	Cambridge .....	NDP
Davis, Hon. W. G. ....	Brampton .....	PC
Davison, M. N. ....	Hamilton Centre .....	NDP
Di Santo, O. ....	Downsview .....	NDP
Drea, Hon. F. ....	Scarborough Centre .....	PC
Dukszta, J. ....	Parkdale .....	NDP
Eakins, J. ....	Victoria-Haliburton .....	L
Eaton, R. G. ....	Middlesex .....	PC
Edighoffer, H. (Deputy Speaker and Chairman) .....	Perth .....	L
Elgie, Hon. R. ....	York East .....	PC
Epp, H. ....	Waterloo North .....	L
Foulds, J. F. ....	Port Arthur .....	NDP
Gaunt, M. ....	Huron-Bruce .....	L
Germa, M. C. ....	Sudbury .....	NDP
Gigantes, E. ....	Carleton East .....	NDP
Grande, A. ....	Oakwood .....	NDP
Gregory, Hon. M. E. C. ....	Mississauga East .....	PC
Grossman, Hon. L. ....	St. Andrew-St. Patrick .....	PC
Haggerty, R. ....	Erie .....	L
Hall, R. ....	Lincoln .....	L

\*The lists in this appendix, brought up to date as necessary, are published in Hansard on the first Friday of each month and in the first and last issues of each session.



Member	Constituency	Party
Havrot, E. ....	Timiskaming .....	PC
Henderson, Hon. L. C. ....	Lambton .....	PC
Hennesy, M. ....	Fort William .....	PC
Hodgson, W. ....	York North .....	PC
Isaacs, C. ....	Wentworth .....	NDP
Johnson, J. ....	Wellington-Dufferin-Peel .....	PC
Johnston, R. F. ....	Scarborough West .....	NDP
Jones, T. ....	Mississauga North .....	PC
Kennedy, R. D. ....	Mississauga South .....	PC
Kerr, G. A. ....	Burlington South .....	PC
Kerrio, V. ....	Niagara Falls .....	L
Lane, J. ....	Algoma-Manitoulin .....	PC
Laughren, F. ....	Nickel Belt .....	NDP
Lawlor, P. D. ....	Lakeshore .....	NDP
Leluk, N. G. ....	York West .....	PC
Lupusella, A. ....	Dovercourt .....	NDP
MacBeth, J. P. (Deputy Chairman and Acting Speaker) .....	Humber .....	PC
MacDonald, D. C. ....	York South .....	NDP
Mackenzie, R. ....	Hamilton East .....	NDP
Maeck, Hon. L. ....	Parry Sound .....	PC
Makarchuk, M. ....	Brantford .....	NDP
Mancini, R. ....	Essex South .....	L
Martel, E. W. ....	Sudbury East .....	NDP
McCaffrey, B. ....	Armourdale .....	PC
McCague, Hon. G. ....	Dufferin-Simcoe .....	PC
McClellan, R. ....	Bellwoods .....	NDP
McEwen, J. E. ....	Frontenac-Addington .....	L
McGuigan, J. ....	Kent-Elgin .....	L
McKessock, R. ....	Grey .....	L
McMurtry, Hon. R. ....	Eglinton .....	PC
McNeil, R. K. ....	Elgin .....	PC
Miller, Hon. F. S. ....	Muskoka .....	PC
Miller, G. I. ....	Haldimand-Norfolk .....	L
Newman, B. ....	Windsor-Walkerville .....	L
Newman W. ....	Durham-York .....	PC
Nixon, R. F. ....	Brant-Oxford-Norfolk .....	L
Norton, Hon. K. ....	Kingston and the Islands .....	PC
O'Neil, H. ....	Quinte .....	L
Parrott, Hon. H. C. ....	Oxford .....	PC
Peterson, D. ....	London Centre .....	L
Philip, E. ....	Etobicoke .....	NDP
Pope, Hon. A. ....	Cochrane South .....	PC
Ramsay, R. H. ....	Sault Ste. Marie .....	PC
Reed, J. ....	Halton-Burlington .....	L
Reid, T. P. ....	Rainy River .....	L. LAB.
Renwick, J. A. ....	Riverdale .....	NDP
Riddell, J. ....	Huron-Middlesex .....	L
Rollins, C. T. ....	Hastings-Peterborough .....	PC
Rotenberg, D. ....	Wilson Heights .....	PC
Rowe, R. D. ....	Northumberland .....	PC
Roy, A. J. ....	Ottawa East .....	L
Ruston, R. F. ....	Essex North .....	L

Member	Constituency	Party
Samis, G. ....	Cornwall .....	NDP
Sargent, E. ....	Grey-Bruce .....	L
Scrivener, M. ....	St. David .....	PC
Smith, G. E. ....	Simcoe East .....	PC
Smith, S. ....	Hamilton West .....	L
Snow, Hon. J. W. ....	Oakville .....	PC
Stephenson, Hon. B. M. ....	York Mills .....	PC
Sterling, N. W. ....	Carleton-Grenville .....	PC
Stokes, Hon. J. E. ....	Lake Nipigon .....	NDP
Stong, A. ....	York Centre .....	L
Swart, M. ....	Welland-Thorold .....	NDP
Sweeney, J. ....	Kitchener-Wilnot .....	L
Taylor, G. ....	Simcoe Centre .....	PC
Taylor, J. A. ....	Prince Edward-Lennox .....	PC
Timbrell, Hon. D. R. ....	Don Mills .....	PC
Turner, J. ....	Peterborough .....	PC
Van Horne, R. ....	London North .....	L
Villeneuve, O. F. ....	Stormont-Dundas-Glengarry ....	PC
Walker, Hon. G. ....	London South .....	PC
Warner, D. ....	Scarborough-Ellesmere .....	NDP
Watson, A. N. ....	Chatham-Kent .....	PC
Welch, Hon. R. ....	Brock .....	PC
Wells, Hon. T. L. ....	Scarborough North .....	PC
Wildman, B. ....	Algoma .....	NDP
Williams, J. ....	Oriole .....	PC
Wiseman, Hon. D. J. ....	Lanark .....	PC
Worton, H. ....	Wellington South .....	L
Yakabuski, P. J. ....	Renfrew South .....	PC
Young, F. ....	Yorkview .....	NDP
Ziemba, E. ....	High Park-Swansea .....	NDP



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Hon. J. A. C. Auld .....	Minister of Natural Resources
Hon. R. Brunelle .....	Provincial Secretary for Resources Development
Hon. T. L. Wells .....	Minister of Intergovernmental Affairs
Hon. L. Bernier .....	Minister of Northern Affairs
Hon. J. W. Snow .....	Minister of Transportation and Communications
Hon. M. Birch .....	Provincial Secretary for Social Development
Hon. C. Bennett .....	Minister of Housing
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Hon. D. R. Timbrell .....	Minister of Health
Hon. H. C. Parrott .....	Minister of the Environment
Hon. B. M. Stephenson .....	Minister of Education and Minister of Colleges and Universities
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Hon. K. C. Norton .....	Minister of Community and Social Services
Hon. F. Drea .....	Minister of Consumer and Commercial Relations
Hon. L. Grossman .....	Minister of Industry and Tourism
Hon. G. McCague .....	Chairman of Management Board of Cabinet and Chairman of Cabinet
Hon. L. Maeck .....	Minister of Revenue
Hon. R. C. Baetz .....	Minister of Culture and Recreation
Hon. D. J. Wiseman .....	Minister of Government Services
Hon. R. Elgie .....	Minister of Labour
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Hon. M. E. C. Gregory .....	Minister without Portfolio
Hon. A. Pope .....	Minister without Portfolio

## PARLIAMENTARY ASSISTANTS

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Eaton, R. G. (Middlesex) .....	Assistant to the Minister of Transportation and Communications
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Jones, T. (Mississauga North) .....	Assistant to the Provincial Secretary for Social Development
Kennedy, R. D. (Mississauga South) .....	Assistant to the Minister of Education
Lane, J. (Algoma-Manitoulin) .....	Assistant to the Minister of Northern Affairs
McCaffrey, B. (Armourdale) .....	Assistant to the Minister of Culture and Recreation
McNeil, R. K. (Elgin) .....	Assistant to the Minister of Agriculture and Food
Ramsay, R. H. (Sault Ste. Marie) .....	Assistant to the Minister of Labour
Rotenberg, D. (Wilson Heights) .....	Assistant to the Minister of Intergovernmental Affairs
Smith, G. E. (Simcoe East) .....	Assistant to the Minister of Industry and Tourism
Sterling, N. W. (Carleton-Grenville) .....	Assistant to the Attorney General
Turner, J. (Peterborough) .....	Assistant to the Minister of Health
Watson, A. N. (Chatham-Kent) .....	Assistant to the Minister of Community and Social Services
Yakabuski, P. J. (Renfrew South) .....	Assistant to the Minister of Natural Resources

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**Constitutional reform:** Chairman: MacBeth, J. P. (Humber PC); Campbell, M. (St. George L), Conway, S. (Renfrew North L), Di Santo, O. (Downsview NDP), Johnston, R. F. (Scarborough West NDP), Leluk, N. G. (York West PC), McCaffrey, B. (Armourdale PC), Ramsay, R. H. (Sault Ste. Marie PC), Renwick, J. A. (Riverdale NDP), Roy, A. J. (Ottawa East L), Samis, G. (Cornwall NDP), Sweeney, J. (Kitchener-Wilmot L), Taylor, G. (Simcoe Centre PC), Taylor, J. A. (Prince Edward-Lennox PC), Villeneuve, O.

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Cunningham, E. (Wentworth North L)  
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Elgie, Hon. R.; Minister of Labour (York East PC)  
Foulds, J. F. (Port Arthur NDP)  
Grande, A. (Oakwood NDP)  
Gregory, Hon. M. E. C.; Minister without Portfolio (Mississauga East PC)  
Johnston, R. F. (Scarborough West NDP)  
Mackenzie, R. (Hamilton East NDP)  
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Parrott, Hon. H. C.; Minister of the Environment (Oxford PC)  
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Smith, S.; Leader of the Opposition (Hamilton West L)  
Snow, Hon. J. W.; Minister of Transportation and Communications (Oakville PC)  
Stokes, Hon. J. E.; Speaker (Lake Nipigon NDP)  
Swart, M. (Welland-Thorold NDP)  
Timbrell, Hon. D. R.; Minister of Health (Don Mills PC)  
Warner, D. (Scarborough-Ellesmere NDP)

















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